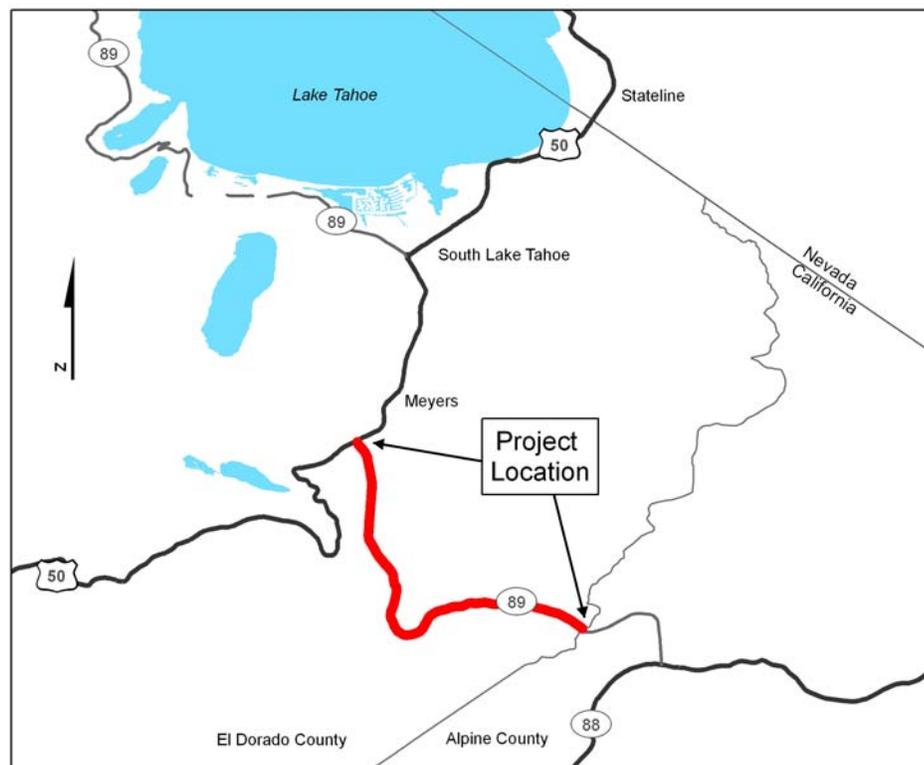


El Dorado 89, Segment 1 – Luther Pass to Meyers Water Quality Improvement Project

EL DORADO COUNTY, CALIFORNIA
DISTRICT 3 – ED – 89, PM 0.0/8.6
03-1A841

Initial Study with Proposed Negative Declaration



August 2007

Prepared by the
State of California Department of Transportation



GENERAL INFORMATION ABOUT THIS DOCUMENT

What's in this document:

The California Department of Transportation (Caltrans) has prepared this Initial Study/Environmental Assessment (IS/EA), which examines the potential environmental impacts of a project to improve water quality runoff along the segment of State Route (SR) 89 beginning at Luther Pass and extending to the intersection of U.S. Highway (US) 50 in the community of Meyers, El Dorado County, California. The document describes why the project is being proposed, alternatives for the project, the existing environment that could be affected by the project, the potential impacts from each of the alternatives, and the proposed avoidance, minimization and/or mitigation measures.

What you should do:

- Please read this Initial Study/Environmental Assessment. Additional copies of this document as well as the technical studies are available for review at the Caltrans North Region Office of Environmental Management, 2800 Gateway Oaks Drive, Sacramento, CA 95833.
- We welcome your comments regarding the proposed project. Please send written comments via postal mail to Jody L. Brown, Chief, Environmental Branch, Attention: Brenda Powell-Jones, Caltrans District 3, 2800 Gateway Oaks Drive, Sacramento, CA 95833. Comments can be submitted via e-mail to brenda_powell-jones@dot.ca.gov.
- Submit comments by the deadline: September 30, 2007.

What happens next?

After comments are received from the public and reviewing agencies, Caltrans and FHWA may: (1) give environmental approval to the proposed project, (2) undertake additional environmental studies, or (3) abandon the project. If the project is given environmental approval and funding is appropriated, the Department could design and construct all or part of the project.

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 call or write to Caltrans, attn: Brenda Powell-Jones, Office of Environmental Management, 2800 Gateway Oaks Dr., Sacramento, CA 95833; (916) 263-5911 Voice, or use the California Relay Service TTY number, 1 (800) 735-2929.

In El Dorado County, California,
On State Route 89 from Luther Pass at the El Dorado/Alpine County line (PM 0.0) to the intersection of
SR 89 and U.S. Highway 50 (PM 8.6) in the community of Meyers, California.

INITIAL STUDY with PROPOSED NEGATIVE DECLARATION

Submitted Pursuant to: Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation

8/30/07
Date of Approval


John D Webb, Chief
Office of Environmental Services - South
California Department of Transportation

Proposed Negative Declaration (ND)

Project Description

The California Department of Transportation (Caltrans) proposes to improve the quality of storm water runoff for the segment of State Route 89 between Luther Pass and U.S. Highway 50 in Meyers. The project will install drainage facilities to collect, treat, and direct storm water runoff from the highway; install slope stability and protection measures; and pave existing and new roadside pullouts. The project is needed to meet National Pollutant Discharge Elimination System (NPDES) permit requirements and address planned water quality improvements that are part of the Lake Tahoe Basin Environmental Improvement Program (EIP).

Determination

This proposed Negative Declaration (ND) is included to give notice to interested agencies and the public that it is the Department's intent to adopt an ND for this project. This does not mean that Caltrans' decision regarding the project is final. This ND is subject to modification based on comments received by interested agencies and the public.

Caltrans has prepared an Initial Study for this project, and pending public review, expects to determine from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on land use, growth, population and housing, recreation, relocations, farmland, airport or air traffic patterns, energy, cultural resources, floodplains, wild or scenic rivers, Coastal Zones, mineral resources, or climate change.

In addition, the proposed project would have no adverse effect on public services, utilities, transportation and traffic, visual resources, hydrology, water quality, geology and soils, hazardous waste, air quality, noise, or biological resources.

John D. Webb, Chief
Office of Environmental Management - South
California Department of Transportation

Date

Summary

The California Department of Transportation (Caltrans), in conjunction with the Federal Highway Administration (FHWA), proposes to provide containment and/or treatment of storm water runoff on State Route 89 (SR 89) from Luther Pass to the SR 89/U.S. Highway 50 (US 50) intersection in Meyers, near South Lake Tahoe, California. This project is one of eight similar improvements proposed on segments of US 50 and SR 89 in the Lake Tahoe Basin (three on US 50 and five on SR 89). Each proposed project within these segments would have logical termini and independent utility, and would likely be individually funded and constructed over a number of years. This Initial Study (IS) addresses Segment 1 of SR 89 (Luther Pass to SR 89/US 50 intersection).

The proposed project will implement water quality improvement measures to comply with National Pollutant Discharge Elimination System (NPDES) permit requirements and address planned water quality improvements identified in the Lake Tahoe Basin Environmental Improvement Program (EIP) and the 1994 Lahontan Regional Water Quality Control Board's 1994 *Water Quality Control Plan for the Lahontan Region, North and South Basins* (Basin Plan). Both plans require retrofitting the state highway system to stabilize eroding slopes and meet specific storm water collection, treatment, and transport standards by 2008. The project would be constructed seasonally over a multiyear period.

Caltrans is the lead agency for the project, pursuant to the California Environmental Quality Act (CEQA). As of July 2007, Caltrans has been delegated the responsibility for certain reviews and approvals formerly performed by the Federal Highway Administration (FHWA), including the approval of Categorical Exclusions in accordance with the National Environmental Policy Act (NEPA). If it is determined that the project has no significant adverse environmental impacts, Caltrans will approve a Negative Declaration under CEQA and a Categorical Exclusion under NEPA.

S.1 Purpose and Need

The purpose of the proposed project is to implement NPDES permit requirements and water quality elements of the Lake Tahoe Basin EIP that relate to Segment 1 of SR 89.

The NPDES requirements arise from goals and objectives to improve the quality of water at Lake Tahoe. The Tahoe Regional Planning Agency (TRPA) is responsible in part for attaining and maintaining established environmental threshold carrying capacities that protect the unique values of the Lake Tahoe Basin, including water quality wildlife, vegetation, soil conservation, fisheries, noise, recreation, air quality, transportation, historic resources, scenic resources, and community design. The TRPA's goals are implemented through its Code of Ordinances, which regulates all proposed projects and activities within the Lake Tahoe Basin. In addition, a 1997 federal agency partnership with California and Nevada, TRPA, and the Washoe Tribal Government affirmed a commitment to manage and protect the Lake's natural resources, achieve environmental thresholds, and adopt and fund the EIP. The EIP contains specific projects, including many that involve California highways in the Lake Tahoe Basin.

Caltrans was issued a statewide NPDES permit from the State Water Resources Control Board (SWRCB) in 1999. The Statewide Permit requires that storm water/urban runoff collection, treatment, and/or infiltration disposal facilities be designed, installed, and maintained for the discharge of storm water 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 Lake Tahoe Hydrologic Unit must be retrofitted to comply with this requirement by 2008. The permit also incorporates provisions of the Basin Plan. The Basin Plan contains requirements that apply to Caltrans highways and projects, including effluent limitations for storm water discharges (i.e., storm water and snowmelt runoff from the state's highways). Essentially, all storm water runoff from Caltrans highways must be managed within the state rights-of-way or, if infeasible, treated to meet applicable standards and effluent limitations contained in the Basin Plan unless the Regional Water Quality Control Board (RWQCB) approves alternative mitigation.

S.2 Alternatives

Within the proposed limits on SR 89, the project would construct various water quality and drainage improvements designed to site-specific conditions (e.g., soil, drainage, and topography) and right-of-way availability, while avoiding or minimizing environmental impacts along Segment 1 of SR 89. These would include the following:

- The existing roadway drainage system will be enhanced by constructing concrete dikes and rehabilitating and constructing new drainage inlets and culverts. These

features will convey runoff to underground sand collection vaults (traction sand traps), infiltration basins, and biofiltration swales for treatment.

- Spreading of runoff will be proposed where feasible in Stream Environment Zone (SEZ) areas. Sheet flow will be enhanced in areas where it is determined to provide better runoff treatment than drainage collection facilities. Because of the climate and soil conditions in the Tahoe Basin, vegetation may not fully establish in the biofiltration swales. However, even without vegetation, biofiltration swales will provide water quality improvements by decreasing runoff velocities, thus encouraging sedimentation.
- Maintenance pullouts will be constructed at sand collection vaults where feasible.
- Existing shoulders will be widened to 4 feet, where feasible, for water conveyance facilities.
- Drainage outfalls will be reconstructed to reduce erosion and convey the additional runoff collected, where necessary.
- Erosion control measures will be incorporated on all eroding slopes within the state right-of-way. To provide additional water quality improvements, unvegetated dirt areas adjacent to the shoulder will be landscaped to promote vegetation growth and discourage vehicles from entering. Erodible slopes will also be flattened and protected. Rock slope protection (RSP) will be used where appropriate.
- An asphalt-concrete overlay will be placed over the existing pavement. Failed pavement sections will be dug out and replaced.
- Existing unpaved pullouts will be paved to prevent soil from being tracked onto the highway.
- Approximately 120 sand traps and an unspecified number of sand vaults will be installed within the project limits. (A double-barreled sand trap is proposed for each cross culvert and drainage inlet.)

Only minor right-of-way acquisitions or easements will be necessary to construct the project. The project's purpose is to improve the quality of storm water runoff, and will not change the existing highway alignment nor expand capacity or add travel or bicycle lanes. Construction is anticipated to require three to four seasons to complete. Construction will require temporary reduction in lane widths and possible periodic lane closures and traffic delays. Following construction, and between seasons of construction, erosion control and slope stability measures will be applied.

The No Build Alternative would not construct the proposed improvements and would not comply with the NPDES permit or implement the elements of the EIP. Caltrans is required to comply with the NPDES permit issued by the SWRCB and could be in violation of permit requirements if the proposed project were not constructed.

S.3 Permits and Approvals Needed

In addition to NEPA and CEQA compliance, the project is subject to other federal, state, and local laws, policies, and guidelines that are addressed in this Initial Study. Applicable regulatory consultation or approvals may be needed from the following agencies:

- U.S. Fish and Wildlife Service (USFWS) – Concurrence on avoidance measures for federally listed threatened and endangered species
- U.S. Army Corps of Engineers (USACE) – Nationwide Permit authorization
- State Historic Preservation Officer (SHPO) – Concurrence on finding that the project does not affect historic resources and Section 106 requirements are satisfied
- U.S. Department of Agriculture Forest Service (Forest Service), Lake Tahoe Basin Management Unit (LTBMU) – Special Use Permit or easement
- California Department of Fish and Game (CDFG) – Streambed Alteration Agreement permit
- Lahontan Regional Water Quality Control Board (LRWQCB) – Section 401 Certification/NPDES; potential exemption to the Basin Plan, which prohibits disturbance in a Stream Environment Zone
- TRPA

This IS addresses the proposed project’s potential to have adverse impacts on the environment. Potential impacts and mitigation/minimization measures are summarized in Table S-1.

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
Land Use	<ul style="list-style-type: none"> • Temporary construction-related traffic delays may inconvenience SR 89 travelers. • Construction staging would require temporary closure of some roadside pullouts, but the Tahoe Rim Trail will not be permanently affected. • The project includes minimal new impervious surfaces that may not be exempt from TRPA Bailey land coverage limits. Final surface area coverage will be defined and provided to TRPA to determine Coverage Verification. 	<ul style="list-style-type: none"> • LU-1: During construction, access to the Tahoe Rim Trail and its crossing of SR 89 will be maintained. Information on construction activities will be made available or noticed to potential trail users. • Traffic management measures (see TT-1).
Community Impacts	<ul style="list-style-type: none"> • Construction and maintenance of infiltration basins and other facilities will require minor acquisition of property or easements, estimated at approximately 16.5 acres. Compensation for any property acquisition would be based on fair market value. • Intermittent traffic delays could affect community institutions such as schools and local agencies. • Construction near properties, driveways, and access roads could cause temporary, minor disruptions to residents, owners, or occupants. 	<ul style="list-style-type: none"> • CI-1: Potentially affected institutions in the local area, such as school districts and local agencies, will be notified and informed of project scheduling/activities. A public involvement plan will be developed. • CI-2: Access to a property, driveway, or access road along SR 89 will remain at least partially open during construction.
Emergency Services	<ul style="list-style-type: none"> • Access to SR 89 and US 50 for the Lake Valley Fire Protection District and Forest Service stations at Meyers will be maintained during construction. Emergency vehicles, including fire, police, and ambulance, will be provided access through construction zones. 	<ul style="list-style-type: none"> • No further mitigation required.
Traffic and Transportation	<ul style="list-style-type: none"> • Traffic flow and access to existing parcels will not be permanently impacted by this project, but may be affected temporarily during construction. • There is a potential for construction traffic delays to interfere with scheduled school bus service in the project area. • The project will not change bicycle access/use on SR 89, except for intermittent delays during construction. 	<ul style="list-style-type: none"> • TT-1: A Traffic Management Plan (TMP) will be developed to address traffic management during construction. Measures will include development of lane closure plans, and provide information and notice of construction activities that may impede traffic or access. • Community impact measures CI-1 and CI-2

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures (continued)

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
<p>Visual/Aesthetics</p>	<ul style="list-style-type: none"> • Existing and proposed pullouts will add pavement and hard surfaces along the edge of the highway. • Sand traps will be added, but these features are mostly underground and should not be readily visible. • New rock outfalls will be visible alongside the highway. • Three retaining walls will be added and cut and fill work will modify some existing slopes. • Infiltration basins and biofiltration swales will require grading, and some tree removal will be necessary. • Trees will be removed to accommodate project features; removal will comply with TRPA requirements. 	<ul style="list-style-type: none"> • VA-1: Measures will be implemented for specific project features, including revegetation of rock slope protection, construction of retaining walls from granite or similar native material, and design of infiltration basins to minimize tree removal. • VA-2: General design measures will be implemented including temporary and permanent erosion control measures. • VA-3: Project improvements will consider TRPA scenic thresholds and incorporate design elements or improvements that do not degrade current values.
<p>Cultural Resources</p>	<ul style="list-style-type: none"> • One property in the project study area is listed in the National Register of Historic Places and California Register of Historical Resources: the Old Alpine State Highway. The project crosses this resource in two locations in the study area and could be affected by construction. • Aspen groves and other archaeological resources are located within the project Area of Potential Effect, but with implementation of avoidance and minimization measures, no temporary or permanent impacts are anticipated. 	<ul style="list-style-type: none"> • CR-1: The segments of the Old Alpine State Highway will be avoided, and will be included in an Environmentally Sensitive Area (ESA) Action Plan that excludes construction activity. • CR-2: If project activities must occur in the immediate vicinity of archaeological resource sites within the APE, additional research should be conducted and the sites should be formally evaluated. • CR-3: Additional surveys for archaeological resources would be required if the project changes to include areas not previously surveyed. If cultural materials are discovered during construction, work will be halted until further review and consultation is completed. • CR-4: If human remains are discovered, activities shall cease and the County Coroner contacted will be contacted. The NAHC will be contacted if appropriate.

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures (continued)

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
Hydrology and Floodplains	<ul style="list-style-type: none"> The project is within Federal Emergency Management Agency (FEMA) zones designated as having minimal or undetermined flood hazard but would not alter the floodplain or flows. The project should have a beneficial effect on floodplain values downstream of the project associated with improved water quality. 	<ul style="list-style-type: none"> No additional avoidance measures are necessary.
Water Quality and Storm Water Runoff	<ul style="list-style-type: none"> Vegetation clearing and construction work will increase risk of erosion and sedimentation during and following construction. Proposed project features will have a beneficial long-term effect by improving the quality of runoff leaving the state right-of-way. 	<ul style="list-style-type: none"> WS-1: Erosion control and pollution prevention measures will be incorporated into the project and required of the construction contractor. WS-2: If construction encounters groundwater or may involve non-storm water discharges, consultation with the LRWQCB or California Department of Toxic Substances Control may be appropriate.
Soils, Soils Conservation, and Geology	<ul style="list-style-type: none"> New drainage features will create additional hard coverage. Construction of certain project features on unstable soils or steep slopes could increase the potential for erosion and slope instability. 	<ul style="list-style-type: none"> SC-1: The purchase of land coverage credits is anticipated pursuant to the TRPA Code of Ordinances. SC-2: Proposed retaining walls or other structures could require geotechnical investigation if they are located on potentially unstable soils and could present landslide, rockfall, liquefaction, or erosion hazards.
Hazardous Waste and Materials	<ul style="list-style-type: none"> Aerially deposited lead (ADL) may be present in roadside soils. Treated wood guardrail posts and thermoplastic roadway striping contain hazardous materials. 	<ul style="list-style-type: none"> HZ-1: Standard Special Provisions (N-SSP #07-330) may apply to handling of ADL soils, but requires verification. HZ-2: The contractor will be required to handle and dispose of wood guardrail posts, thermoplastic striping, and any other potentially hazardous materials in an appropriate landfill.
Air Quality	<ul style="list-style-type: none"> Dust and particulate emissions would temporarily increase during construction, and construction equipment would generate diesel emissions. 	<ul style="list-style-type: none"> AQ-1: Dust control practices will be required of the contractor. AQ-2: Measures can be implemented to reduce emissions from construction equipment.

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures (continued)

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
Noise	<ul style="list-style-type: none"> Project construction activities could intermittently exceed El Dorado County and TRPA noise threshold levels. Project construction is exempt from the TRPA Noise Ordinance if construction activities occur between the daytime hours of 8:00 a.m. and 6:30 p.m. The contractor will be restricted to these time periods unless a variance to this ordinance is obtained. 	<ul style="list-style-type: none"> NO-1: Construction noise measures to limit exposure and noise generation will be followed.
Natural Communities	<ul style="list-style-type: none"> Grass Lake, aspen, wet meadow, and montane riparian habitat (CDFG and TRPA natural communities of concern) occur in the project area but do not appear to be affected by proposed drainage improvements. 	<ul style="list-style-type: none"> NC-1: Construction will not be allowed within wet meadows of Grass Lake, and the interface between Grass Lake and adjacent vegetation will be designated as an ESA. NC-2: General avoidance/minimization measures and BMPs (see Section 2.14.4), including restrictions on construction scheduling, will be implemented for Grass Lake, aspen, wet meadow, and montane riparian habitat communities.
Wetlands and Waters of the United States, and Stream Environment Zones	<ul style="list-style-type: none"> Approximately 0.13 acre of wetlands could be permanently affected by construction of proposed cut and fill slopes, basins, and pullouts. A total of 0.07 acre of potentially jurisdictional non-wetland waters of the U.S. would be permanently affected by proposed construction activities. A total of 3.43 acres of SEZs within the ESL would be permanently affected by the paving of pullout areas. 	<ul style="list-style-type: none"> WE-1: Impacts to wetlands, jurisdictional non-wetland waters of the U.S., and SEZs will be mitigated on-site. WE-2: General avoidance/minimization measures and BMPs (see Section 2.15.4) will be implemented, including establishing ESA boundaries, providing erosion control, and limiting vegetation removal.
Special-Status Plant Species	<ul style="list-style-type: none"> No sensitive plant species were found within the ESL during the biological field surveys. Shore sedge and marsh willowherb, both CNPS List 2 species, were identified near the study area. 	<ul style="list-style-type: none"> PL-1: General avoidance/minimization measures and BMPs (see Section 2.16.4) will be implemented to avoid potential direct or indirect effects to special-status plants.

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures (continued)

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
<p>Special-Status Animal Species</p>	<ul style="list-style-type: none"> • Avian species: No nesting was identified for any species. Blue grouse and California spotted owl may use the study area. Habitat is present for northern goshawk, waterfowl, yellow warbler, and peregrine falcon. • Mammals and fish: Brook trout, bats, Sierra Nevada snowshoe hare, mule deer, and black bear use habitat near the project area. Habitat for rainbow trout and American badger is present. 	<ul style="list-style-type: none"> • AN-1: Preconstruction surveys will be conducted to verify that no northern goshawk, blue grouse, yellow warbler, waterfowl, California spotted owl, and peregrine falcon are nesting in the project limits. Active nesting would require construction restrictions during the nesting season. • AN-2, AN-3, and AN-4: General avoidance/minimization measures and BMPs (see Section 2.17.4) will be implemented to avoid potential effects to avian species, aquatic species, and mammals, respectively. • AN-5: Preconstruction surveys for Sierra Nevada snowshoe hare will be conducted in riparian areas where nest depressions may be within 250 feet of construction. Where nest depressions are identified, construction within 250 feet will be prohibited from February 1 to July 1 and restricted to daylight hours.

Table S-1 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures (concluded)

Potential Impact	Impact Summary	Avoidance/Minimization/Mitigation
<p>Threatened and Endangered Species</p>	<ul style="list-style-type: none"> • Two federal or state listed species were determined present in project area and could be affected by construction: <ul style="list-style-type: none"> - Willow flycatcher (state-listed endangered) - Lahontan cutthroat trout (federally listed endangered) • Bald eagle (state-listed endangered), bank swallow (state-listed threatened), and Sierra Nevada red fox (state-listed threatened) were not identified. 	<ul style="list-style-type: none"> • TE-1: Preconstruction surveys for willow flycatcher will be performed to verify use of habitat prior to construction and nesting (between June 1 and September 1) season. Work will be prohibited in the ESAs where active nesting is taking place or until nesting activity is completed. • TE-2: Cofferdams will be used to collect and relocate any Lahontan cutthroat trout affected by project activities, and other general avoidance/minimization measures and BMPs will be applied to avoid effects to this species. • TE-3: A preconstruction survey will verify absence of bald eagle and bank swallow. If nests are found, buffers and construction timing restrictions will be imposed. • TE-4: Preconstruction surveys will verify absence of Sierra Nevada red fox. If active dens are found, a 250-foot buffer will be imposed, and construction will be prohibited from February 1 to May 31.
<p>Invasive Species</p>	<ul style="list-style-type: none"> • One potential noxious weed was identified during the surveys (klamathweed) in the vicinity of Big Meadow Creek. 	<ul style="list-style-type: none"> • General avoidance/minimization measures and BMPs HA-03 (Construction Equipment Weed Control) and HA-05 (Weed-Free Erosion Control Seed Mix/Stock) (see Section 2.20) will be required of the contractor to avoid propagation of this species.