

State Route 20 Smartsville Safety Improvement Project

YUBA COUNTY/NEVADA COUNTY, CALIFORNIA
DISTRICT 3 – YUB/NEV – 20 (PM 20.1/21.7 & 0.0/0.1)
03-2F590
03-0002-0624

Initial Study with Mitigated Negative
Declaration/Environmental Assessment with Finding of
No Significant Impact



Prepared by the
State of California Department of Transportation

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 USC 327.



January 2016

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SCH:
03-YUB-20 PM 20.1/21.7
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EA 03-2F590

**INITIAL STUDY with Proposed Mitigated Negative
Declaration/Environmental Assessment**

Submitted Pursuant to: (State) Division 13, California Resources Code
(Federal) 42 USC 4332(2)(C)

THE STATE OF CALIFORNIA
Department of Transportation

Suzanne Melim for

JOHN D. WEBB, Office Chief
North Region Environmental Services

9/15/15

Date

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT (FONSI)

FOR

State Route 20 Smartsville Safety Improvement Project

The California Department of Transportation (Caltrans) has determined that the build alternative will have no significant impact on the human environment. This FONSI is based on the attached Environmental Assessment (EA) and associated technical studies which have been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA and associated technical studies.

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 USC 327.

January 8, 2016
Date


JOHN D. WEBB, District 3 Office Chief
Caltrans North Region Environmental

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

SCH No. 2015102002
03-YUB/NEV-20-PM 20.1/21.7 & 0.0/0.1
03-2F590
03-0002-0624

MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans), proposes to improve safety along State Route (SR)-20 in Yuba and Nevada Counties. The scope of work will include: .

- Realigning portions of the existing highway to correct non-standard curves and improve sight distance.
- Realigning county road connections for proper intersection alignment with SR-20
- Constructing new drainage systems and improving existing systems, including the Nevada Irrigation Ditch between post miles 20.84-20.91.
- Widening highway shoulders
- Installing highway signing and striping
- Adding right and left turn pockets at Smartsville Road

Determination

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

The proposed project will have **no effect** on land use, the coastal zone, wild & scenic rivers, parks and recreational facilities, growth, farmlands/timberlands, community character and cohesion, environmental justice, hydrology and floodplain, geology/soils/seismic/topography, paleontology, and plant species;

In addition, the proposed project will have **no significant effect** on utilities/emergency services, traffic and transportation/pedestrian and bicycle facilities, visual/aesthetics, water quality and storm water runoff, hazardous waste/materials, air quality, noise, animal species, threatened and endangered species and invasive species;

With the following mitigation measures incorporated, the proposed project will have **less than significant effects** to cultural resources, natural communities and Other Waters of the U.S.:

Cultural Resources

- Potential adverse effects on the historic-era component of archaeological site CA-YUB-438/H will be mitigated through data recovery as stipulated in the 2015 Memorandum of Agreement.

Natural Communities

- All tree removal will be documented and an appropriate number of replacement trees will be planted within existing right of way where feasible or in the restoration area, which includes the old roadway. In addition, offsite oak tree planting will be required.

- Impacts to riparian habitat will be mitigated through on-site restoration or off-site restoration at an alternate location.
- Potential impacts to wildlife migration will be mitigated through the construction of a wildlife undercrossing within the project limits.

Other Waters of the U.S.

- Impacts to jurisdictional Other Waters of the U.S. will be mitigated through purchase of credits at an offsite mitigation bank, or through payment to an In Lieu Fee mitigation program.



JOHN L. WEBB, Office Chief
Caltrans North Region Environmental

January 8, 2016
Date

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1. Chapter 1 Proposed Project

1.1. INTRODUCTION

The California Department of Transportation (Caltrans) has prepared this Initial Study/Environmental Assessment (IS/EA), which examines the potential environmental impacts of the proposed project located in Yuba and Nevada Counties, California. Caltrans is the lead agency under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA). The document explains why the project is being proposed, what design options have been considered for the project, how the existing environment could be affected by the project, the potential impacts of each of the design options, and the proposed avoidance, minimization, and/or mitigation measures.

1.2. PROJECT FUNDING

This project is programmed under the State Highway Operation and Protection Program (SHOPP) 201.015 Collision Severity Reduction Program, using both state and federal funds. Project construction capital costs are estimated at \$14 million.

1.3. PURPOSE AND NEED

The purpose of this project is to reduce the number and severity of collisions along SR-20 in Yuba County between postmiles (PM) 20.1/21.7 and Nevada County between PM 0.0/0.1 by upgrading the existing roadway to current standards. The existing roadway contains a pair of non-standard reversing curves, limited sight distances, and narrow to no paved shoulders, and experiences a number of run off road collisions. This collision severity reduction project will reduce the potential for future collisions by improving the non-standard curves as well as increasing the paved shoulder widths and clear recovery area width. Sight distances along the roadway will also be improved, increasing visibility for vehicles entering the highway as well as to wildlife crossing activities.

State Route 20 in the project limits experienced a total of 19 collisions in a three-year period (7/1/2010 to 6/30/2013), including seven injury and two fatal collisions. A summary of observed trends in the collision data are as follows:

- The majority of collisions (12 of the 19) involved vehicles running off the road.
- Ten of the 19 collisions occurred between PM 20.22 and PM 20.67, which is within the limits of the non-standard reversing curves. Both fatal collisions and three of the seven injury collisions also occurred within these curves.

Realignment of the roadway, along with wide shoulders and a clear recovery area, will lessen the potential for a vehicle to lose control and also offer more recovery room for errant drivers. The wider shoulders and clear recovery area will also offer greater sight distances along the corridor and provide a better condition for drivers to react to unexpected situations not only related to other vehicles and pedestrians, but also for local wildlife that may be in the roadway.

1.4. PROJECT DESCRIPTION

Caltrans proposes to improve safety along SR-20 (YUB-20 PM 20.1/21.7 and NEV-20 PM 0.0/0.1) in Yuba and Nevada Counties. The scope of work would include:

- Realignment of portions of the existing highway to correct non-standard curves and improve sight distance.
- Realign county road connections as necessary for proper intersection alignment
- Construct new drainage systems as necessary for new alignment segments
- Drainage improvements as necessary
- Widen highway shoulders
- Roadway signing and striping
- Add right and left turn pockets at Smartsville Road

In addition, from PM 20.84 to PM 20.91 in Yuba County, three design options for work in and adjacent to the Nevada Irrigation Ditch (NID) are being considered:

Design Option A

- Relocate a portion of the Nevada Irrigation Ditch (NID), or

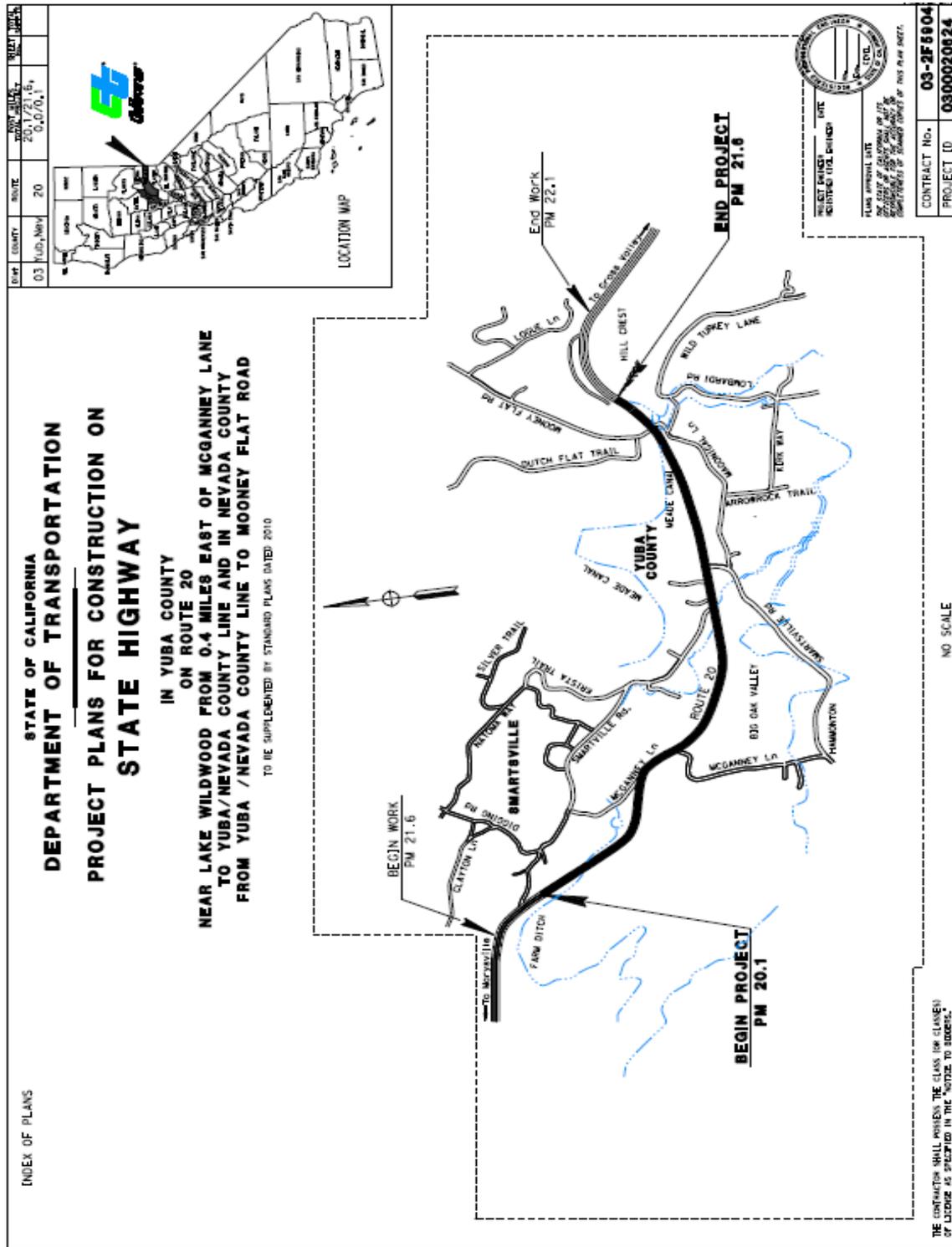
Design Option B

- Construct an Mechanically Stabilized Earth Wall (MSE) wall between the NID ditch and the new roadway, or

Design Option C

- Construct a box girder bridge

Figure 1-1 Project Location



1.5. ALTERNATIVES

1.5.1. Build (Action) Alternative

The build alternative would include the following items:

- Realignment of portions of the existing highway to correct non-standard curves and improve sight distance.
- Realign county road connections as necessary for proper intersection alignment
- Construct new drainage systems as necessary for new alignment segments
- Drainage improvements as necessary
- Widen highway shoulders
- Roadway signing and striping
- Add right and left turn pockets at Smartsville Road

In addition, from PM 20.84 to PM 20.91, three design options for work in and adjacent to the Nevada Irrigation Ditch (NID) are being considered:

Design Option A

- Relocate a portion of the Nevada Irrigation Ditch (NID), or

Design Option B

- Construct a Mechanically Stabilized Earth Wall (MSE) wall between the NID ditch and the new roadway, or

Design Option C

- Construct a box girder bridge

1.5.2.No-Build (No Action) Alternative

The No-Build alternative would make no improvements to the existing roadway and would have neither construction nor environmental impacts; however, routine maintenance would still occur as necessary. By not making any improvements, this alternative would fail to deliver the safety improvements the project is intended to provide and not meet the purpose and need for the project.

Identification of a Preferred Design Option

After the public circulation period closed, all comments were considered, and Caltrans has selected a preferred design option and made the final determination of the project's effect on the environment. Under the California Environmental Quality Act (CEQA), no unmitigable significant adverse impacts were identified, and as a result, Caltrans has prepared a Mitigated Negative Declaration (MND). In addition, under the National Environmental Policy Act (NEPA), Caltrans has determined that the project will not significantly impact the environment and is issuing a Finding of No Significant Impact (FONSI).

The preferred design option for work in and adjacent to the Nevada Irrigation Ditch (NID) from PM 20.84 to PM 20.91 is as follows:

Design Option C

- Construct a box girder bridge

When compared to Design Options A and B, Design Option C offers the following advantages:

- Fewer environmental impacts to riparian habitat
- Fewer potential impacts to wildlife migration
- Fewer trees that potentially will need to be removed
- Fewer environmental impacts to jurisdictional Other Waters of The U.S.
- Less disruption to the NID

1.5.3. Alternatives Considered but Eliminated from Further Discussion

None

1.6. PERMITS AND APPROVALS NEEDED

The following permits, reviews, and approvals would be required for project construction:

Agency	Permit/Approval	Status
United States Army Corps of Engineers	Section 404 Permit for filling or dredging waters of the United States	Permits will be obtained prior to approving the project for construction
California Department of Fish and Wildlife	1602 Streambed Alteration Agreement	Permits will be obtained prior to approving the project for construction
California Regional Water Quality Control Board	Section 401 Permit Certification	Permits will be obtained prior to approving the project for construction

2. Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization, and/or Mitigation Measures

As part of the scoping and environmental analysis conducted for the project, the following environmental issues were considered but no adverse impacts were identified. Consequently, there is no further discussion regarding these issues in this document.

- **Coastal Zone** – The project is not within the coastal zone.
- **Wild and Scenic Rivers** – The project is not in or adjacent to a designated Wild and Scenic River.
- **Parks and Recreational Facilities** – The project is not adjacent to or within any Parks and Recreational Facilities. There are no Section 4(f) resources within the project vicinity.
- **Growth** – This is a safety improvement project that does not increase capacity and has no potential to impact growth.
- **Farmland/Timberlands** – This project is not adjacent to any farmlands and/or timberlands.
- **Community Character and Cohesion** – The proposed project would result in better accessibility to the town, therefore, this project would not impact community character and cohesion.
- **Environmental Justice** – This project is in a rural area. All considerations under Title VI of the Civil Rights Act of 1964 and related statutes have been incorporated throughout the development of the project. There is no potential for disproportional impacts to low income or minority populations.
- **Hydrology and Floodplain** – Based on the Drainage Report/Floodplain Evaluation, the proposed project is outside of any FEMA designated Special Flood Hazard Area (SFHA) and a Floodplain Hydraulic Study (FHS) is not required. The proposed project would not increase drainage/runoff issues in the project area.
- **Geology/Soils/Seismic/Topography** - This is a safety improvement project with no potential for adverse impacts to the geology, soils, and topography of the project area.
- **Paleontology** – Based on previous environmental studies and construction projects in the area, there is no potential for adverse impacts to paleontological resources.

- **Air Quality** – The Air Quality Analysis shows that the project is exempt from all project-level conformity requirements under Table 2 of 40 Code of Federal Regulations (CFR) 93.126, Subsection Safety (Projects that correct, improve, or eliminate a hazardous location or feature). Temporary impacts to air quality, however, are discussed in the Construction Impacts section of this document.
- **Noise** - The Noise Analysis shows there is no potential for adverse impacts to noise levels; however; temporary impacts from noise are discussed in the Construction Impacts section of this document.

2.1. HUMAN ENVIRONMENT

2.1.1. Land Use

Affected Environment

Existing and Future Land Use

The project area is located in rural Yuba and Nevada Counties approximately 18 miles east of the City of Marysville. Land use in the project area is rural and is zoned Rural Residential District five Acres (RR-5) in the Yuba County General Plan. The minimum parcel size allowed is five acres. The historic communities of Smartsville and Timbuctoo form the principal land use in the project area. These two communities are primarily composed of single family residential dwellings and encompass a total area of about fifty acres. The remainder of the land use within the project area consists of scattered single family residential dwellings with a few commercial parcels.

Yuba County General Plan

Land use and development within Yuba County is guided by the *Yuba County General Plan (2030)*. The 2030 general plan serves as a long term guide for orderly growth and development for Yuba County. It also forms the basis for zoning, subdivision regulation, and other planning decisions on the location, intensity, and design of public facilities and land use. The General Plan Land Use Map shows the majority of land within the project area is zoned Rural Residential 5 Acres (RR-5).

River Highlands Community Plan

Land use and development within the immediate project area is guided by the *River Highlands Community Plan (1993)*. This plan serves as a long term guide for orderly growth and development for the Smartsville/Tibuctoo area of Yuba County. Within the River Highlands Community Plan, Smartsville and Timbuctoo are in the Smartsville/Timbuctoo Community Boundary (STCB).

Consistency with State, Regional, and Local Plans and Programs

Consistency of the Proposed Project

All of the planning documents applicable to this area emphasize the safety and efficiency of the streets and highways in the area as well as the importance of the rural character of the area. The proposed project remains consistent with the circulation policies enumerated in the *Yuba County General Plan 2030*, the *River Highlands Community Plan* and the *Sacramento Council of Governments (SACOG) Metropolitan Transportation Plan (MTP) 2035*. These policies emphasize safety while keeping the rural nature of the project area. The proposed project is designed to improve safety for roadway users.

Environmental Consequences

Yuba County General Plan

Policies contained in the *Yuba County General Plan 2030* were reviewed to identify policies directly relevant to the proposed project.

Circulation Element

Policy CD16.1: The County will maintain roadway levels of service that recognize differences between urban and rural environments and consideration of other community character, economic, and environmental policies of the County. (Yuba County 2030:72-86)

Policy CD16.4: On State highways, the level of service goals included in the adopted *Yuba-Sutter Congestion Management Plan* shall be maintained. (Yuba County 2030:72-86)

The proposed project would be consistent with these circulation policies. The primary purpose of the proposed project is to improve safety along SR-20. The proposed project's secondary purposes are to rehabilitate the highway and upgrade the drainage. Therefore, the proposed project would contribute to a roadway system that is safe and efficient.

River Highlands Community Plan

Policies contained in the *River Highlands Community Plan* were reviewed to identify policies directly relevant to the proposed project.

Circulation Element

Policy CG-1: Achieve and maintain an efficient, feasible, cost effective vehicular transportation system for River Highlands in the context of the County-wide and regional transportation systems. Ensure that the circulation system is coordinated with land use for the Plan area. (River Highlands CP:25-26)

The proposed project would be consistent with the circulation policy. The primary purpose of the proposed project is to improve safety along SR-20. The proposed project's secondary purposes are to rehabilitate the highway and upgrade the drainage. Therefore, the proposed project would contribute to a roadway system that is safe and efficient.

SACOG 2035 MTP

SACOG is the metropolitan planning organization responsible for developing the state and federally required MTP every four years in coordination with the 22 cities and six counties in the greater Sacramento region. The MTP is a 28-year plan for transportation improvements in this six-county region based on projections for growth in population, housing, and jobs.

Policies contained in SACOG's 2035 MTP were reviewed to identify policies directly relevant to the proposed project. One relevant policy was identified, and the consistency of the proposed project with this policy is discussed below.

17.1 Strategy: Encourage and support Caltrans in seeking traffic management and safety improvements along with highway rehabilitation projects from the State Highway Operations and Protection Program. Ensure that both urban and rural needs are targeted. (SACOG 2035 MTP:75)

The proposed project is consistent with this policy. The purpose of the proposed project is to improve safety along SR-20, which would target both urban and rural needs.

CEQA Considerations

No impacts to Existing and Future Land Use or Consistency with State, Regional, and Local Plans and Programs pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

- No avoidance, minimization and/or mitigation measures are required for Existing and Future Land Use or for the Consistency with State, Regional, and Local Plans and Programs.

2.1.2. Community Impacts

Relocations and Real Property Acquisition

Regulatory Setting

Caltrans' Relocation Assistance Program (RAP) is based on the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (as amended) and Title 49 Code of Federal Regulations (CFR) Part 24. The purpose of RAP is to ensure that persons displaced as a result of a transportation project are treated fairly, consistently, and equitably so that such persons will not suffer disproportionate injuries as a result of projects designed for the benefit of the public as a whole.

All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 United States Code [USC] 2000d, et seq.). Please see Appendix B for a copy of Caltrans' Title VI Policy Statement.

Affected Environment

The project study area is primarily residential composed of single family dwellings on larger size parcels. The remainder of the project area consists of scattered single family residential dwellings with a few commercial parcels.

Environmental Consequences

The proposed project would require the partial acquisition of nineteen parcels. These parcel acquisitions come from residential parcels of land. No full parcel takes are anticipated.

The exact number and size of full and partial acquisitions is subject to final design, which will occur after the final environmental document and project have been approved.

CEQA Considerations

With the implementation of the below avoidance and minimization measures, less than significant impacts from real property acquisition pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Following project approval, Caltrans Right of Way staff will coordinate with affected property owners concerning compensation for loss of property.
- Property acquisition will be minimized as much as possible.

2.1.3. Utilities/Emergency Services

Affected Environment

Utilities

Pacific Gas and Electric Company (PG & E) provides electrical and gas service in the project area. The majority of the property owners are on wells for water and septic systems. The Nevada Irrigation Ditch (NID) runs through the project area and crosses the highway at various locations. Comcast Corporation provides cable services and AT&T provides telephone service. Typical utilities in the project area include overhead and underground telephone cables, electrical wires, fiber-optic cable, and the associated pull boxes and pedestals associated with these utilities.

Emergency/Medical Services

Law enforcement services in the project area are provided by the Yuba County Sherriff's Department as well as the California Highway Patrol (CHP). Cal-Fire provides fire protection services throughout the project area.

In addition to the law enforcement and fire protection services described above, emergency medical services are available to residents of the study area at Rideout Memorial Hospital in Marysville and at Sierra Nevada Memorial Hospital in Grass Valley.

Environmental Consequences

Utilities

Utility relocation would be necessary as part of this project. Relocation of a portion of the NID ditch adjacent to the highway may be required. In addition, two 12KV power poles may be relocated. The power poles would generally be relocated farther away from SR-20.

Emergency Services

Under post-construction conditions, the proposed project could benefit the public services in the project area, including law enforcement, fire, and emergency services, because the main existing emergency provider route, SR-20, would be enhanced by project improvements.

CEQA Considerations

With the implementation of the below avoidance and minimization measures, less than significant impacts to utilities and emergency services pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- All emergency response agencies in the project area will be notified of the project construction schedule and will have access to SR-20 throughout the construction period.
- Caltrans will coordinate with the utility providers before relocation of any utilities to ensure that potentially affected utility customers are notified of potential service disruptions before relocations.

2.1.4. Traffic and Transportation/Pedestrian and Bicycle Facilities

Regulatory Setting

Caltrans, as assigned by FHWA, directs that full consideration should be given to the safe accommodation of pedestrians and bicyclists during the development of federal-aid highway projects (see 23 Code of Federal Regulations [CFR] 652). It further directs that the special needs of the elderly and the disabled must be considered in all federal-aid projects that include pedestrian facilities. When current or anticipated pedestrian and/or bicycle traffic presents a potential conflict with motor vehicle traffic, every effort must be made to minimize the detrimental effects on all highway users who share the facility.

In July 1999, the U.S. Department of Transportation (USDOT) issued an Accessibility Policy Statement pledging a fully accessible multimodal transportation system. Accessibility in federally-assisted programs is governed by the USDOT regulations (49 CFR Part 27) implementing Section 504 of the Rehabilitation Act (29 United States Code [USC] 794). FHWA has enacted regulations for the implementation of the 1990 Americans with Disabilities Act (ADA), including a commitment to build transportation facilities that provide equal access for all persons. These regulations require application of the ADA requirements to federal-aid projects, including Transportation Enhancement Activities.

Affected Environment

A Traffic Analysis was completed in July and August 2015.

Traffic and Transportation

State Route 20 is an “ocean to mountains” route that begins at State Route 1 near Fort Bragg and ends at Interstate 80 near Emigrant Gap. It is part of the Interregional Transportation Strategic Plan and is classified as a High Emphasis Focus Route. A Highway Emphasis Focus Route is one of Caltrans’ highest priority route designations for completion to at least minimum facility standards within a 20-Year planning period and the highway facility needed in the next 20 years to maintain the concept Level Of Service (LOS).

Traffic Volume

The traffic volumes for SR-20 were taken from the 2013 All Traffic Volumes on California State Highway System provided by the Traffic and Vehicle Data Systems.

Traffic Volumes – Peak Hour and Annual Average Daily Traffic

YUB-20	Peak Hour (veh/hr)	Peak Month (veh/day)	AADT (veh/day)
PM 21.665	770	8300	7500

Collision History

There were 19 collisions reported for the three-year period (7/1/2010 to 6/30/2013) within the project limits, including seven injury and two fatal collisions.

- The majority of collisions (12 of the 19) involved vehicles running off the road.
- Ten of the 19 collisions occurred between PM 20.22 and PM 20.67, which is within the limits of the non-standard reversing curves. Both fatal collisions and three of the seven injury collisions also occurred within these curves.

Bicycle and Pedestrian Facilities

There is no existing bikeway system in and around Smartsville. Bicyclists use the town streets and SR-20 in the project area. The large trucks, heavy traffic volumes, and narrow shoulders do discourage bicycling along SR-20. For future consideration by Yuba County, SR-20 through the project area may be designated by Yuba County as a Class III Bike Route (with Multi-Use Shoulder).

Environmental Consequences

Traffic and Transportation

Proposed Improvements

Realignment of the roadway, along with wide shoulders and a clear recovery area, will lessen the potential for a vehicle to lose control and will also offer more recovery room for errant drivers. The wider shoulders and clear recovery area will also offer greater sight distances along the corridor and provide a better condition for drivers to react to unexpected situations not only related to other vehicles and pedestrians, but also to local wildlife that may be in the roadway.

The proposed project does not add additional vehicular capacity and is not expected to appreciably affect traffic volumes. No permanent negative impacts to traffic are anticipated. The project does not contain design elements, such as additional travel lanes, which would

provide additional highway capacity. The posted 55 mph speed limit on SR-20 would not be changed by the proposed project.

Bicycle and Pedestrian Facilities

The proposed project would widen the shoulders and increase the sight distance within the project limits; this would constitute a beneficial impact to bicyclists and pedestrians.

CEQA Considerations

Less than significant impacts to traffic and transportation and bicycle and pedestrian facilities pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

- Pedestrian and bicycle access must be maintained during construction.
- The Contractor will be required to minimize any access delays to driveways or public roadways within or near the work zones.
- A Traffic Management Plan will be prepared.

2.1.5. Visual/Aesthetics

Regulatory Setting

The National Environmental Policy Act of 1969 as amended (NEPA) establishes that the federal government use all practicable means to ensure all Americans safe, healthful, productive, and *aesthetically* (emphasis added) and culturally pleasing surroundings (42 United States Code [USC] 4331[b][2]). To further emphasize this point, the Federal Highway Administration (FHWA) in its implementation of NEPA (23 USC 109[h]) directs that final decisions on projects are to be made in the best overall public interest taking into account adverse environmental impacts, including among others, the destruction or disruption of aesthetic values.

The California Environmental Quality Act (CEQA) establishes that it is the policy of the State to take all action necessary to provide the people of the State “with...enjoyment of *aesthetic*, natural, scenic and historic environmental qualities” (CA Public Resources Code [PRC] Section 21001[b]).

Affected Environment

A Visual Impact Assessment (VIA) was completed in August 2015.

Project Location and Setting

The project corridor is defined as the area of land that is visible from, adjacent to, and outside the highway right-of-way, and is determined by topography, vegetation, and viewing distance.

The project location and setting provides for the context to determine the type of changes to the existing visual environment. The Yuba River is located to the west of the project and, the town of Smartsville is to the north of the project. The land use within the project corridor is primarily rural with low density residential scattered throughout the landscape. State Route 20 within the project limits is carved in the rolling hills, winding and climbing its way through foothills in the western portion of the Sierra Nevada. The landscape is characterized by existing vegetation consisting of Blue Oak, California Black Oak, Gray Pine, manzanita, and wild grape. Big Ravine Creek runs on the north side of SR-20 at the base of fill slopes below the highway. The Nevada Irrigation Ditch (NID) is aligned on the north side of SR-20 for the entire length of the project.

At the beginning and end of the project, the road is widening equally on both sides having sliver cuts and fills. Slopes range from 4:1 to 2:1. At the newly aligned section, the west end is set in new cut slopes up to 60 feet high. The east half of the new alignment is on fill slopes 2:1 on the north side and 4:1 on the south side of highway.

Utility power poles run along SR-20 from the east end of the project and turn off of SR-20 and on to Smartsville Road.

The unifying landscape attributes for this region are the highway ribbon winding through the rolling foothills and covered oak woodland vegetation that is considered a common visual resource. There are some middle ground views of pastureland and a few distant mountain views in the background. Overall, there is minimal intrusion on the rolling foothills and pasturelands by human development. The region's visual quality is moderate in vividness, intactness, and unity. The existing highway is lined with mature trees in close proximity to the road, providing tree canopy and shade across the highway. Other areas provide limited middle ground and distant views through open meadows.

Two major viewer groups identified are residential and highway travelers for the project area. The largest viewer group affected is the one traveling along SR-20, including commuters to Beale Air Force Base, local cities, and weekend drivers destined for recreation both locally and in the Sierra Nevada. In the limited time frame allowed at high speeds, the roadway users are concentrating on maneuvering the car around windy and hilly roads. Views are seen in short duration, because of the changes in road alignment and the close proximity of foothills layered behind.

State Route 20 in the project area is not listed as a State Scenic Highway.

Environmental Consequences

Visual Impacts

Visual impacts are determined by assessing changes to the visual resources and predicting viewer response to those changes.

Road

Overall, the visual character of the proposed road alignment will be compatible with the existing visual character of the corridor. The visual character of the road edge will change in color, texture and form. The proposed project will widen the existing shoulder to standard dimensions, therefore adding sliver fills at either end of the project and these visual resources will remain similar to the existing condition.

The center portion of the highway will be realigned with half of the distance cutting into a hill, introducing major cut slopes ranging from 80 to 130 feet high. This reduces the unity and intactness of the corridor for a short distance.

Visual resource changes with the introduction of the new alignment will not decrease vividness, however, it will set a high perspective view looking over the top of woodlands and the distant rolling foothills. The viewer response will be moderate.

Cut Slope

The proposed cut slopes will frame both sides of the highway. The 2:1 south slope is the tallest at 60 feet tall. The additional cut slopes in the corridor and the increased height will somewhat lower the visual quality of the existing corridor due to the removal of existing mature vegetation. The viewer response will be moderate.

Abandoned Road

There will be an abandoned section of SR-20 viewed from the new highway in a few areas. At this location the asphalt and subgrade material will be removed. The abandoned road section will decrease intactness and unity. The visual character will be slightly lowered by the abandoned road due to the lack of vegetation as compared to adjacent property. The driver will have limited views of the old road alignment. At the west end of the project the road elevation is below the abandon road, however, as the new alignment merges with the abandon road, foreground views will reduce the intactness of the visual environment until vegetation grows over the abandoned road section. The viewer response will be moderate.

Residents

At the west end of the project, several residents above the highway have limited to no view of the highway. After the project is complete, the views of the highway will remain unseen, since the proposed road will be lowered from the existing elevation.

A few residents north of the project will see a visual change, which range from steep cut slopes to the removal of trees down toward their homes. It is anticipated that the average response of these viewers will be moderate.

Smartsville Residents

The existing views of the highway from the town of Smartsville are limited by distant from the roadway and a mature tree cover; in addition, the town sits at a higher elevation than the highway. After the completion of the project there may be a slight increase in views with the removal of some trees along the highway. It is anticipated that the average response of these viewers will be moderate.

Impacts of Proposed Design Options To Visual Resources

Design Option A - Relocate a portion of the Nevada Irrigation Ditch (NID)

Visual resource changes for Design Option A will have the large fill slopes and a large grouping of mature trees removed from the slope exposing the new fill slope to be seen by Smartsville residents to the north and one resident to the south that sits on top of a mountain.

Design Option B – Construct a Mechanically Stabilized Earth (MSE) Wall between the NID ditch and the new roadway

Visual resource changes for Design Option B will preserve a large grove of oaks on the north side of the new highway. Having fill slope on the south side may be viewed by the one resident just south of project. All of these will have less visual impacts when compared to Design Option A.

Design Option C - Box Girder Bridge

This design option, unlike the first two, will have minimal impacts to the environment. Visual resource changes for Design Option C will have the least visual impacts from every viewer. Mature vegetation will be protected on both the north and south side of the bridge. The proposed bridge structure will be set between two large hills, which may possibly have limited views by the residents to the south of the project.

Visual resource changes with the introduction of the new alignment will not decrease vividness, setting a high perspective view looking over the top of woodlands and distance rolling foothills.

CEQA Considerations

Less than significant impacts to visual/aesthetics pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Vegetation removal, including removal of trees, will be kept to the minimum amount necessary to construct the project.
- All areas disturbed during construction shall receive permanent erosion control measures. Only native plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. A Landscape Architect will prepare the erosion control plans and specifications.

2.1.6. Cultural Resources

Regulatory Setting

“Cultural resources” as used in this document refers to all “built environment” resources (structures, bridges, railroads, water conveyance systems, etc.), culturally important resources, and archaeological resources (both prehistoric and historical), regardless of significance.

The National Historic Preservation Act (NHPA) of 1966, as amended, sets forth national policy and procedures for historic properties, defined as districts, sites, buildings, structures, and objects included in or eligible for listing in the National Register of Historic Places. Section 106 of the NHPA requires federal agencies to take into account the effects of their undertakings on historic properties and to allow the Advisory Council on Historic Preservation the opportunity to comment on those undertakings, following regulations issued by the Advisory Council on Historic Preservation [36 Code of Federal Regulations (CFR) 800]. On January 1, 2014, a Section 106 Programmatic Agreement (PA) between the Advisory Council, the Federal Highway Administration (FHWA), State Historic Preservation Officer (SHPO), and Caltrans went into effect for Department projects, both state and local, with FHWA involvement. The PA implements the Advisory Council’s regulations, 36 CFR 800, streamlining the Section 106 process and delegating certain responsibilities to Caltrans. The FHWA’s responsibilities under the PA have been assigned to the Caltrans as part of the Surface Transportation Project Delivery Program (23 United States Code [USC] 327).

In addition to the PA, historical resources are considered under the California Environmental Quality Act (CEQA), as well as California Public Resources Code (PRC) Section 5024.1, which established the California Register of Historical Resources (California Register). In addition, PRC Section 5024 requires state agencies to identify and protect state-owned resources that meet National Register of Historic Places (NRHP) listing criteria. It further specifically requires Caltrans to inventory state-owned structures in its rights-of-way. Sections 5024(f) and 5024.5 require state agencies to provide notice to and consult with the State Historic Preservation Officer (SHPO) before altering, transferring, relocating, or demolishing state-owned historical resources that are listed on or are eligible for inclusion in the National Register or are registered or eligible for registration as California Historical Landmarks.

Affected Environment

An Historic Property Survey Report (HPSR), Archaeological Survey Report (ASR), Archaeological Evaluation Report (AER), and a Historic Resources Evaluation Report (HRER) were completed in January 2015 and documents identification and evaluation efforts of cultural resources within the Area of Potential Effects (APE). The APE was established through consultation between the Caltrans Project Manager and Caltrans Professionally Qualified Staff on December 30, 2014. The Area of Potential Effects was delineated in accordance with Attachment 3 of the Section 106 PA (APE Delineation) and encompasses the area which direct or indirect impacts associated with the proposed highway project could cause alterations in the character or use of any historic property, if present.

Studies identified one prehistoric site, CA-YUB-1772, and one multiple component (both prehistoric and historic-era) site, CA-YUB-438/H, within the APE for the proposed project.

Archaeological Resources

Investigations in 2013 at CA-YUB-438/H identified an ephemeral scatter of flaked stone in the vicinity of a bedrock mortar, as well as an abundance of historic-era remains dating between the 1860s and 1880s that reflects the establishment of a homestead by Alexander and Elizabeth Doyle and their family.

The historic-era component of CA-YUB-438/H was subsequently found to be significant for its ability to address important questions in history and has been determined eligible for listing in the NRHP at the Local Level of Significance under Criterion D. The site was also found to meet the eligibility criteria for inclusion in the California Register; however, the ephemeral prehistoric site was determined not to contribute to the eligibility of the site. The California State Historic Preservation Officer (SHPO) concurred with the eligibility determination on May 12, 2015. (See Chapter 3, Comments and Coordination)

Prehistoric site CA-YUB-1772 consists of a bedrock mortar and a very sparse lithic scatter. The site was recommended as ineligible for listing on the NRHP, California Register and the California SHPO concurred with the determination on March 16, 2015. No further work is necessary at this site.

The remaining cultural resources in the project area have been determined not eligible for the NRHP and the California Register, and no further work is necessary.

Built Environment

Studies identified six historic-era built-environment resources within the APE for the proposed project. Caltrans determined that they are not eligible for the NRHP nor historical resources for the purposes of the California Environmental Quality Act. The SHPO concurred with this determination on March 16, 2015.

Environmental Consequences

Due to the adverse effect to the historic component of CA-YUB-438/H, Caltrans, in accordance with Section 106 Programmatic Agreement Stipulation X.B.1.a. and Attachment 5 of the Programmatic Agreement, has determined a **Finding of Adverse Effect** for impacts to the historic-era component of archaeological site CA-YUB-438/H is appropriate for this project. The SHPO concurred with this finding on May 12, 2015. A Memorandum of Agreement between Caltrans and the California State Historic Preservation Officer has been executed and can be found in Appendix E.

There are no Section 4(f) resources within the project vicinity.

CEQA Considerations

With the implementation of the below avoidance, minimization and mitigation measures, less than significant impacts to cultural resources pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the nature and significance of the find.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA Public Resources Code (PRC) Section 5097.98, if the remains are thought to be

Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact the Environmental Senior and Professionally Qualified Staff, so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Mitigation Measures

- Caltrans shall ensure that the adverse effects of the undertaking on the historic-era component of archaeological site CA-YUB-438/H are mitigated through data recovery as stipulated in the 2015 Memorandum of Agreement. (See Appendix E)

2.2. PHYSICAL ENVIRONMENT

2.2.1. Water Quality and Storm Water Runoff

Regulatory Setting

Federal Requirements: Clean Water Act

In 1972, Congress amended the Federal Water Pollution Control Act, making the addition of pollutants to the waters of the United States (U.S.) from any point source¹ unlawful unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. This act and its amendments are known today as the Clean Water Act (CWA). Congress has amended the act several times. In the 1987 amendments, Congress directed dischargers of storm water from municipal and industrial/construction point sources to comply with the NPDES permit scheme. The following are important CWA sections:

- Sections 303 and 304 require states to issue water quality standards, criteria, and guidelines.
- Section 401 requires an applicant for a federal license or permit to conduct any activity that may result in a discharge to waters of the U.S. to obtain certification from the state that the discharge will comply with other provisions of the act. This is most frequently required in tandem with a Section 404 permit request (see below).
- Section 402 establishes the NPDES, a permitting system for the discharges (except for dredge or fill material) of any pollutant into waters of the U.S. Regional Water Quality Control Boards (RWQCB) administer this permitting program in California. Section 402(p) requires permits for discharges of storm water from industrial/construction and municipal separate storm sewer systems (MS4s).

¹ A point source is any discrete conveyance such as a pipe or a man-made ditch.

- Section 404 establishes a permit program for the discharge of dredge or fill material into waters of the United States. This permit program is administered by the U.S. Army Corps of Engineers (USACE).

The goal of the CWA is “to restore and maintain the chemical, physical, and biological integrity of the Nation’s waters.”

The USACE issues two types of 404 permits: General and Standard permits. There are two types of General permits: Regional permits and Nationwide permits. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Nationwide Permit may be permitted under one of the USACE’s Standard permits. There are two types of Standard permits: Individual permits and Letters of Permission. For Standard permits, the USACE decision to approve is based on compliance with U.S. Environmental Protection Agency’s Section 404 (b)(1) Guidelines (U.S. EPA Code of Federal Regulations [CFR] 40 Part 230), and whether the permit approval is in the public interest. The Section 404(b)(1) Guidelines (Guidelines) were developed by the U.S. EPA in conjunction with the USACE, and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less adverse effects. The Guidelines state that the USACE may not issue a permit if there is a least environmentally damaging practicable alternative (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S. and not have any other significant adverse environmental consequences. According to the Guidelines, documentation is needed that a sequence of avoidance, minimization, and compensation measures has been followed, in that order. The Guidelines also restrict permitting activities that violate water quality or toxic effluent² standards, jeopardize the continued existence of listed species, violate marine sanctuary protections, or cause “significant degradation” to waters of the U.S. In addition, every permit from the USACE, even if not subject to the Section 404(b)(1) Guidelines, must meet general requirements. See 33 CFR 320.4. A discussion of the LEDPA determination, if any, for the document is included in the Wetlands and Other Waters section.

State Requirements: Porter-Cologne Water Quality Control Act

California’s Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. This Act requires a “Report of Waste Discharge” for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the state. Waters of the state include more than just

² The U.S. EPA defines “effluent” as “wastewater, treated or untreated, that flows out of a treatment plant, sewer, or industrial outfall.”

waters of the U.S., such as groundwater and surface waters not considered waters of the U.S. Additionally, it prohibits discharges of “waste” as defined and this definition is broader than the CWA definition of “pollutant”. Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA.

The State Water Resources Control Board (SWRCB) and RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA, and regulating discharges to ensure compliance with the water quality standards. Details about water quality standards in a project area are included in the applicable RWQCB Basin Plan. In California, Regional Boards designate beneficial uses for all water body segments in their jurisdictions, and then set criteria necessary to protect these uses. As a result, the water quality standards developed for particular water segments are based on the designated use and vary depending on that use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants. These waters are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired for one or more constituents and the standards cannot be met through point source or non-point source controls (NPDES permits or WDRs), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs). TMDLs specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

State Water Resources Control Board and Regional Water Quality Control Boards

The SWRCB administers water rights, sets water pollution control policy, and issues water board orders on matters of statewide application, and oversees water quality functions throughout the state by approving Basin Plans, TMDLs, and NPDES permits. RWQCBs are responsible for protecting beneficial uses of water resources within their regional jurisdiction using planning, permitting, and enforcement authorities to meet this responsibility.

National Pollution Discharge Elimination System (NPDES) Program

Municipal Separate Storm Sewer Systems (MS4)

Section 402(p) of the CWA requires the issuance of NPDES permits for five categories of storm water discharges, including Municipal Separate Storm Sewer Systems (MS4s). The U.S. EPA defines an MS4 as “any conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels, and storm drains) owned or operated by a state, city, town, county, or other public body having jurisdiction over storm water, that are designed or used for collecting or conveying storm water.” The SWRCB has identified Caltrans as an owner/operator of an MS4 pursuant to federal regulations. The Caltrans MS4 permit covers all Caltrans rights-of-way, properties, facilities, and activities in the state. The SWRCB or the RWQCB issues

NPDES permits for five years, and permit requirements remain active until a new permit has been adopted.

Caltrans MS4 Permit, Permit was adopted on September 19, 2012, and became effective on July 1, 2013. (Order No. 2012-0011-DWQ). The permit has three basic requirements:

1. Caltrans must comply with the requirements of the Construction General Permit (see below);
2. Caltrans must implement a year-round program in all parts of the State to effectively control storm water and non-storm water discharges; and
3. Caltrans storm water discharges must meet water quality standards through implementation of permanent and temporary (construction) Best Management Practices (BMPs), to the Maximum Extent Practicable, and other measures as the SWRCB determines to be necessary to meet the water quality standards.

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

Construction General Permit

Construction General Permit (Order No. 2009-0009-DWQ), adopted by the SWRCB on September 2, 2009, became effective on July 1, 2010. The Construction General Permit was amended by Order No. 2010-0014-DWQ and Order No. 2012-0006 on February 14, 2011 and July 17, 2012, respectively. The permit regulates storm water discharges from construction sites which result in a Disturbed Soil Area (DSA) of one acre or greater, and/or are smaller sites that are part of a larger common plan of development. By law, all storm water discharges associated with construction activity where clearing, grading, and excavation results in soil disturbance of at least one acre must comply with the provisions of the Construction General Permit. Construction activity that results in soil disturbances of less than one acre is subject to this Construction General Permit if there is potential for significant water quality impairment resulting from the activity as determined by the RWQCB. Operators of regulated construction sites are required to develop storm water pollution

prevention plans; to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the Construction General Permit.

The 2009 Construction General Permit separates projects into Risk Levels 1, 2, or 3. Risk levels are determined during the planning and design phases, and are based on potential erosion and transport to receiving waters. Requirements apply according to the Risk Level determined. For example, a Risk Level 3 (highest risk) project would require compulsory storm water runoff pH and turbidity monitoring, and before construction and after construction aquatic biological assessments during specified seasonal windows. For all projects subject to the permit, applicants are required to develop and implement an effective Storm Water Pollution Prevention Plan (SWPPP). In accordance with Caltrans Standard Specifications, a Water Pollution Control Program (WPCP) is necessary for projects with Disturbed Soil Area (DSA) less than one acre.

Section 401 Permitting

Under Section 401 of the CWA, any project requiring a federal license or permit that may result in a discharge to a water of the United States must obtain a 401 Certification, which certifies that the project will be in compliance with state water quality standards. The most common federal permits triggering 401 Certification are CWA Section 404 permits issued by USACE. The 401 permit certifications are obtained from the appropriate RWQCB, dependent on the project location, and are required before USACE issues a 404 permit.

In some cases the RWQCB may have specific concerns with discharges associated with a project. As a result, the RWQCB may issue a set of requirements known as Waste Discharge Requirements (WDRs) under the State Water Code (Porter-Cologne Act) that define activities, such as the inclusion of specific features, effluent limitations, monitoring, and plan submittals that are to be implemented for protecting or benefiting water quality. WDRs can be issued to address both permanent and temporary discharges of a project.

Affected Environment

A Water Quality Assessment Report was completed in June 2013.

The project is located on State Route 20 (SR-20) in Yuba and Nevada Counties. It is situated in the Browns Valley Hydrologic Sub-Area (HSA) No. 517.12 in the Yuba River Hydrologic Unit. The project is located in the Woods Creek-Yuba River and the Slacks Ravine-Deer Creek Sub-watershed.

State Route 20 (SR-20) lies within the Yuba River Hydrologic Unit, and the Browns Valley Hydrologic Sub-Area (HSA No. 517.12). The principle receiving water bodies along this highway segment include Big Ravine and an unnamed tributary to Slacks Ravine. Big Ravine discharges into the Yuba River, just upstream of the Parks Bar Bridge. The unnamed tributary to Slacks Ravine and Slacks Ravine discharge to Deer Creek joins the

Yuba River, approximately one mile downstream of Englebright Lake. The 2012 Integrated Report (CWA Section 303(d) List/305(b) Report) lists no pollutants or stressors of concern, for Big Ravine or Slacks Ravine.

The Basin Plan lists no beneficial uses for Big Ravine or the unnamed tributary to Slacks Ravine/Deer Creek. However, the plan identifies beneficial uses attributed to the Yuba River (Hydro Unit No. 515.3, Englebright Dam to Feather River) of which these are tributaries are a water body to. The existing beneficial uses include AGR, COLD, MIGR, POW, REC-1, REC-2, SPWN, WARM, and WILD. Thus, the Yuba River meets criteria of having the beneficial uses of COLD, MIGR, and SPWN, therefore, is considered a sediment sensitive water body.

Environmental Consequences

Disturbed Soil Area (DSA)

A preliminary estimate shows that the DSA for the project would be more than 1.00 acre. The amount of disturbed area that may be created for staging by the contractor will contribute largely to the aggregate amount of DSA.

Potential Water Quality Impacts

There is a potential for water quality impacts to occur since the nature of the work requires a large amount of soil disturbance. The soil disturbance is caused by the construction of the project.

CEQA Considerations

The project as designed, and with the implementation of permanent and temporary Best Management Practices (BMPs), is expected to have less than significant impacts to water quality and storm water runoff pursuant to CEQA.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- The project shall comply with the requirements prescribed in Caltrans Statewide NPDES Permit CAS No. 000003 (Order No. 2012-0011-DWQ).
- The requirements of Construction General Permit No. CAS000002 (Order No. 2009-0009-DWQ, as amended) for General Construction Activities are applicable to the project since the total disturbed soil area (DSA) is equal to or greater than 1.0 acre.
- A Caltrans approved Storm Water Pollution Prevention Plan (SWPPP) will be required.

- A Contractor prepared SWPPP shall incorporate appropriate temporary construction site BMPs to implement effective handling, storage, use and disposal practices during construction activities.
- Existing drainage facilities shall be identified and protected by the application of appropriate construction site BMPs.
- Caltrans shall implement the programs specified in its approved Storm Water Management Plan. Caltrans NPDES office will participate in early project design consultation with the Regional Board. Coordination with Regional Board staff shall be conducted through the District NPDES Coordinator.

2.2.2. Hazardous Waste/Materials

Regulatory Setting

Hazardous materials, including hazardous substances and wastes, are regulated by many state and federal laws. Statutes govern the generation, treatment, storage and disposal of hazardous materials, substances, and waste, and also the investigation and mitigation of waste releases, air and water quality, human health and land use.

The primary federal laws regulating hazardous wastes/materials are the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and the Resource Conservation and Recovery Act of 1976 (RCRA). The purpose of CERCLA, often referred to as “Superfund,” is to identify and clean up abandoned contaminated sites so that public health and welfare are not compromised. The RCRA provides for “cradle to grave” regulation of hazardous waste generated by operating entities. Other federal laws include:

- Community Environmental Response Facilitation Act (CERFA) of 1992
- Clean Water Act
- Clean Air Act
- Safe Drinking Water Act
- Occupational Safety and Health Act (OSHA)
- Atomic Energy Act
- Toxic Substances Control Act (TSCA)
- Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

In addition to the acts listed above, Executive Order (EO) 12088, *Federal Compliance with Pollution Control Standards*, mandates that necessary actions be taken to prevent and control environmental pollution when federal activities or federal facilities are involved.

California regulates hazardous materials, waste, and substances under the authority of the CA Health and Safety Code and is also authorized by the federal government to implement RCRA in the state. California law also addresses specific handling, storage, transportation, disposal, treatment, reduction, cleanup and emergency planning of hazardous waste. The Porter-Cologne Water Quality Control Act also restricts disposal of wastes and requires clean up of wastes that are below hazardous waste concentrations but could impact ground and surface water quality. California regulations that address waste management and prevention and clean up contamination include Title 22 Division 4.5 Environmental Health Standards for the Management of Hazardous Waste, Title 23 Waters, and Title 27 Environmental Protection.

Worker and public health and safety are key issues when addressing hazardous materials that may affect human health and the environment. Proper management and disposal of hazardous material is vital if it is found, disturbed, or generated during project construction.

Affected Environment

An Initial Site Assessment (ISA) was prepared by Caltrans North Region Environmental Engineering staff in August 2015. The purpose of this assessment was to identify any hazardous waste issues within and adjacent to the proposed project area which could affect the design, constructability, feasibility, and/or the cost of the proposed project. A record search of federal, state, and local databases, a map review and a field review were conducted as well.

Environmental Consequences

Based on the records search findings, aerial photographs and a field review, the following conclusions and recommendations are noted:

Petroleum Hydrocarbons

Petroleum hydrocarbons contamination is not expected within the project study limits.

Aerially Deposited Lead (ADL)

Lead-contaminated soil is not expected to be hazardous concentration levels, however, an ADL survey will be required during final project design.

Right-Of-Way/Structures/Properties

Any acquisition of right-of-way must be tested for hazardous waste and be free of significant hazardous waste prior to acquisition.

Asphalt Grindings

No asphalt concrete grindings may be placed in shoulder backing at locations where erosion or maintenance operations could result in their deposit into waterways. Any surplus excavated soil shall not be disposed of outside the project limits. Caltrans handling procedures for soil must include Dust Control, Spillage Prevention, and Air Quality Monitoring during construction.

Treated Wood Waste

Treated wood waste (TWW) can occur as posts along metal beam guard railing (MBGR), three beam barrier, piles, or roadside signs. These wood products are typically treated with preserving chemicals that may be hazardous (carcinogenic) and include but are not limited to arsenic, chromium, copper, creosote, and pentachlorophenol. The Department of Toxic Substances Control (DTSC) requires that TWW either be disposed as a hazardous waste, or if not tested, the generator may presume that TWW is a hazardous waste.

Avoidance, Minimization and/or Mitigation Measures

Avoidance and Minimization Measures

Caltrans' Standard Special Provisions (SSP's) will be included in the construction contract to address the following issues:

- SSP 14-11.07 is required if the project includes separate removal of yellow or white thermoplastic and/or paint striping.
- SSP 15-1.03B is required if the yellow or white thermoplastic and/or paint striping will be removed while grinding the entire pavement surface.
- SSP 15-2.02C(2) is required for the removal of traffic striping and pavement markings that contains lead when the residue is considered non-hazardous.
- SSP 7-1.02K96(j)(iii) is required for earth material containing lead.
- SSP 14-11.3 is required for material containing hazardous concentrations of Aerially Deposited Lead (ADL).
- SSP 14-11.09 is required for Treated Wood Waste (TWW).

2.3 Biological Environment

NATURAL COMMUNITIES

Regulatory Setting

This section of the document discusses natural communities of concern. The focus of this section is on biological communities, not individual plant or animal species. This section also includes information on wildlife corridors and habitat fragmentation. Wildlife corridors are areas of habitat used by wildlife for seasonal or daily migration. Habitat fragmentation involves the potential for dividing sensitive habitat and thereby lessening its biological value.

Habitat areas that have been designated as critical habitat under the Federal Endangered Species Act are discussed in the Threatened and Endangered Species section. Wetlands and other waters are discussed in the Wetlands and other waters section.

Oak Woodlands/Montane Hardwoods

Regulatory Setting

Senate Concurrent Resolution #17 requests all state agencies having land use planning duties and responsibilities to preserve and protect native oak woodlands to the maximum extent feasible or provide for replacement plantings where designated oak species (blue, Engleman, Valley, and coast live oaks) are removed from oak woodlands (a five-acre circular area containing five or more oak trees per acre).

Affected Environment

A Natural Environmental Study (NES) was completed in August 2015. Field surveys were conducted by Caltrans biologists on January 8, 2015, February 7, 2015 and on March 19, 2015.

Blue oak woodlands and montane hardwood forests occur throughout the project area. Both are dominated by blue oak and similar in makeup and ecological significance. Oak woodlands are very much like riparian habitat as they provide important nesting and foraging habitat for numerous bird species. They also add to the scenic nature of the roadway.

Environmental Consequences

It is estimated the project will impact approximately six acres of oak woodland and remove 100-150 oak trees. The project would also impact approximately 10.4 acres of montane hardwood forest.

CEQA Considerations

Less than significant impacts with mitigation to oak woodlands/montane hardwoods pursuant to CEQA are anticipated with implementation of the following avoidance, minimization and/or mitigation measures.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance / Minimization Measures

- Oak trees will be avoided to the greatest extent practicable.

Mitigation Measures

- All tree removal will be documented and an appropriate number of replacement trees would be planted within existing right of way where feasible or in the restoration area, which includes the old roadway. In addition, offsite oak tree planting will be required.

Riparian Habitat

Regulatory Setting

Riparian woodlands consist of trees and other vegetation and physical features normally found on the stream banks and floodplains associated with streams, lakes, or other bodies of water. Riparian woodland habitat can range from a dense thicket of shrubs to a closed canopy of large mature trees covered by vines. Activities within riparian habitat are regulated under Sections 1600-1616 of the California Fish and Game Code. The areas regulated by Sections 1600-1616 include the bed, channel, and bank of any river, stream, or lake in which there is at any time an existing fish or wildlife resource, or from which these resources derive benefit. The limits of this jurisdiction typically extend to the outer edge of riparian vegetation, or to the top of the bank for areas with little or no riparian habitat.

Affected Environment

A Natural Environmental Study (NES) was completed in August 2015. Field surveys were conducted by Caltrans biologists on January 8, 2015, February 7, 2015 and on March 19, 2015.

A dense riparian corridor occurs adjacent to the perennial stream within the project limits. Vegetation includes willow, cottonwood, Himalayan blackberry, buckeye, oak, and other riparian shrubs.

Environmental Consequences

Construction of the project has potential to directly impact approximately 2.2 acres of riparian habitat.

CEQA Considerations

Less than significant impacts to riparian habitat with mitigation pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance / Minimization Measures

- Riparian habitat will be avoided to the greatest extent practicable.

Mitigation Measures

- Impacts to riparian habitat will be mitigated through onsite restoration or off-site restoration at an alternate location.

Wildlife Corridors

Affected Environment

A Natural Environmental Study (NES) was completed in August 2015. Field surveys were conducted by Caltrans biologists on January 8, 2015, February 7, 2015 and on March 19, 2015.

Wildlife movement corridors within the study area follow natural drainages and waterways such as the Town Canal and Big Ravine. The results of the field surveys indicate that the oak riparian habitat within the project area provides cover and serves as linear corridors for wildlife passage between habitat fragments in the Valley and the adjacent foothills.

The SR-20 corridor supports resident deer populations as well as a migratory deer herd population. California's migratory deer herd has suffered dramatically as a result of increased road use, and habitat fragmentation due to encroaching development. According to Caltrans, this stretch of roadway within the project limits has had a large number of deer/vehicle collisions over the past 10 years.

Environmental Consequences

Construction of the project has the potential to impact the safe passage of migrating deer and other local wildlife by making it more difficult to cross the wider highway, however, the project will include the construction of at least one wildlife undercrossing which would help maintain the availability of migration corridors for safe passage of migrating deer and other local wildlife.

CEQA Considerations

Less than significant impacts to wildlife corridors with mitigation pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance / Minimization Measures

- None

Mitigation Measures

- Potential impacts to wildlife migration will be mitigated through the construction of a wildlife undercrossing within the project limits.

2.3.1 Wetlands and Other Waters

Regulatory Setting

Wetlands and other waters are protected under a number of laws and regulations. At the federal level, the Federal Water Pollution Control Act, more commonly referred to as the Clean Water Act (CWA) (33 United States Code [USC] 1344), is the primary law regulating wetlands and surface waters. One purpose of the CWA is to regulate the discharge of dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. include navigable waters, interstate waters, territorial seas and other waters that may be used in interstate or foreign commerce. To classify wetlands for the purposes of the CWA, a three-parameter approach is used that includes the presence of hydrophytic (water-loving) vegetation, wetland hydrology, and hydric soils (soils formed during saturation/inundation). All three parameters must be present, under normal circumstances, for an area to be designated as a jurisdictional wetland under the CWA.

Section 404 of the CWA establishes a regulatory program that provides that discharge of dredged or fill material cannot be permitted if a practicable alternative exists that is less damaging to the aquatic environment or if the nation's waters would be significantly degraded. The Section 404 permit program is run by the U.S. Army Corps of Engineers (USACE) with oversight by the United States Environmental Protection Agency (U.S. EPA).

The USACE issues two types of 404 permits: General and Standard permits. There are two types of General permits: Regional permits and Nationwide permits. Regional permits are issued for a general category of activities when they are similar in nature and cause minimal environmental effect. Nationwide permits are issued to allow a variety of minor project activities with no more than minimal effects.

Ordinarily, projects that do not meet the criteria for a Nationwide Permit may be permitted under one of USACE's Standard permits. There are two types of Standard permits: Individual permits and Letters of Permission. For Standard permits, the USACE decision to approve is based on compliance with U.S. EPA's Section 404(b)(1) Guidelines (U.S. EPA 40 Code of Federal Regulations [CFR] Part 230), and whether permit approval is in the public interest. The Section 404 (b)(1) Guidelines (Guidelines) were developed by the U.S. EPA in conjunction with the USACE, and allow the discharge of dredged or fill material into the aquatic system (waters of the U.S.) only if there is no practicable alternative which would have less adverse effects. The Guidelines state that the USACE may not issue a permit if there is a least environmentally damaging practicable alternative (LEDPA) to the proposed discharge that would have lesser effects on waters of the U.S., and not have any other significant adverse environmental consequences.

The Executive Order for the Protection of Wetlands (EO 11990) also regulates the activities of federal agencies with regard to wetlands. Essentially, this EO states that a federal agency, such as the FHWA and/or Caltrans, as assigned, cannot undertake or provide assistance for new construction located in wetlands unless the head of the agency finds: 1) that there is no practicable alternative to the construction and 2) the proposed project includes all practicable measures to minimize harm.

At the state level, wetlands and waters are regulated primarily by the State Water Resources Control Board (SWRCB), the Regional Water Quality Control Boards (RWQCB) and the California Department of Fish and Wildlife (CDFW). In certain circumstances, the Coastal Commission (or Bay Conservation and Development Commission or Tahoe Regional Planning Agency) may also be involved. Sections 1600-1607 of the California Fish and Game Code require any agency that proposes a project that will substantially divert or obstruct the natural flow of or substantially change the bed or bank of a river, stream, or lake to notify CDFW before beginning construction. If CDFW determines that the project may substantially and adversely affect fish or wildlife resources, a Lake or Streambed Alteration Agreement will be required. CDFW jurisdictional limits are usually defined by the tops of the stream or lake banks, or the outer edge of riparian vegetation, whichever is wider. Wetlands under jurisdiction of the USACE may or may not be included in the area covered by a Streambed Alteration Agreement obtained from the CDFW.

The RWQCBs were established under the Porter-Cologne Water Quality Control Act to oversee water quality. Discharges under the Porter-Cologne Act are permitted by Waste Discharge Requirements (WDRs) and may be required even when the discharge is already permitted or exempt under the CWA. In compliance with Section 401 of the CWA, the RWQCBs also issue water quality certifications for activities which may result in a discharge to waters of the U.S. This is most frequently required in tandem with a Section 404 permit request. Please see the Water Quality section for additional details.

Affected Environment

A Natural Environmental Study (NES) was completed in August 2015. Field surveys were conducted by Caltrans biologists on January 8, 2015, February 7, 2015 and on March 19, 2015.

Numerous streams which are tributaries to the Yuba River convey water through the project area. These streams are mostly ephemeral and are usually dry throughout the summer. One larger stream commonly called the "Town Canal" conveys water through the project limits. This canal, which is used for agricultural purposes, has water in it throughout the year and functions as a perennial stream. The name of the creek would indicate the creek is insignificant in nature though that is not accurate. It is believed that the creek was originally called Big Ravine as that name appears in older maps. The Town Canal has all natural substrate, occurs within a historic streambed, and supports fish and wildlife habitat. The stream falls under the jurisdiction of the CWA and as such is subject to permitting requirements from the USACE, the RWQCB and the CDFW.

Caltrans will submit a wetland delineation to the USACE for permitting purposes, and streams within the project limits will likely be delineated as jurisdictional "Other Waters of the United States".

Environmental Consequences

Construction of the project would impact approximately 0.10 acres of jurisdictional Other Waters of the U.S. The potential effects would include the clearing of vegetation for access and construction of the project, preparation and grading, and the use of heavy construction equipment and trucks.

CEQA Considerations

Less than significant impacts with mitigation to Other Waters of the U.S. pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Impacts to streams will be avoided and/or minimized to the greatest extent practicable.

Mitigation Measures

- Impacts to jurisdictional Other Waters of the U.S. will be mitigated through purchase of credits at an offsite mitigation bank, or through payment to an In Lieu Fee mitigation program.

2.3.2 Plant Species

Regulatory Setting

The USFWS and CDFW have regulatory responsibility for the protection of special-status plant species. “Special-status” species are selected for protection because they are rare and/or subject to population and habitat declines. Special status is a general term for species that are afforded varying levels of regulatory protection. The highest level of protection is given to threatened and endangered species; these are species that are formally listed or proposed for listing as endangered or threatened under the Federal Endangered Species Act (FESA) and/or the California Endangered Species Act (CESA). Please see the Threatened and Endangered Species Section in this document for detailed information regarding these species.

This section of the document discusses all the other special-status plant species, including CDFW species of special concern, USFWS candidate species, and California Native Plant Society (CNPS) rare and endangered plants.

The regulatory requirements for FESA can be found at 16 USC, Section 1531, et seq. See also 50 CFR Part 402. The regulatory requirements for CESA can be found at California Fish and Wildlife Code, Section 2050, et seq. Caltrans projects are also subject to the Native Plant Protection Act, found at California Fish and Wildlife Code, Section 1900-1913, and CEQA, PRC, Sections 2100-21177.

Affected Environment

A Natural Environmental Study (NES) was completed in August 2015. In order to comply with the provisions of various state environmental statutes and executive orders, the study area or ESA was field reviewed to 1) identify habitat types; 2) identify factors indicating the potential for special status plant species; 3) identify special status plant species present; and 4) identify potential impacts resulting from the proposed project.

The following information was studied as part of the environmental review process for special status plant species:

- California Natural Diversity Database (CNDDDB) Records
- CDFW BIOS Database
- California Native Plant Society (CNPS) Database

Field surveys were conducted by Caltrans biologists on March 11, 2015 and March 19, 2015.

Three special status plant species; hartweg's golden sunburst, dwarf downingia, and Brandegees clarkia, have potential to occur within the project limits, though habitat for these species is marginal and presence is unlikely. Springtime surveys during the appropriate flowering period were conducted and these species were not located. Downingia requires vernal pool habitat which does not occur within the project limits.

Hartweg's golden sunburst exists almost entirely in annual grasslands or cismontane woodlands.

Environmental Consequences

No habitat which could support special status plant species nor special plant species were observed within the project area. Based on these findings, impacts to special status plant species are not anticipated.

CEQA Considerations

No impacts to special status plants pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

- There are no avoidance, minimization and/or mitigation measures proposed for plant species.

2.3.3 Animal Species

Regulatory Setting

Many state and federal laws regulate impacts to wildlife. The U.S. Fish and Wildlife Service (USFWS), the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) and the California Department of Fish and Wildlife (CDFW) are responsible for implementing these laws. This section discusses potential impacts and permit requirements associated with animals not listed or proposed for listing under the federal or state Endangered Species Act. Species listed or proposed for listing as threatened or endangered are discussed in the Threatened and Endangered Species Section below. All other special-status animal species are discussed here, including CDFW fully protected species and species of special concern, and USFWS or NOAA Fisheries Service candidate species.

Federal laws and regulations relevant to wildlife include the following:

- National Environmental Policy Act
- Migratory Bird Treaty Act
- Fish and Wildlife Coordination Act

State laws and regulations relevant to wildlife include the following:

- California Environmental Quality Act
- Sections 1600 – 1603 of the California Fish and Wildlife Code
- Sections 4150 and 4152 of the California Fish and Wildlife Code

Animal Species

An Natural Environmental Study (NES) was completed in August 2015 and field surveys were conducted by Caltrans biologists on January 8, February 7, and March 17, 2015. In order to comply with the provisions of various State environmental statutes and executive orders, the ESA was field reviewed to 1) identify factors indicating the potential for special status animal species; 2) identify special status animal species present; and 3) identify potential impacts resulting from the proposed project.

The following information was analyzed as part of the environmental review process for special status animal species:

- California Natural Diversity Database (CNDDDB) Records
- CDFW BIOS Database
- USFWS Species List

California Red Legged Frog

Affected Environment

Streams within the project limits have the potential to support California Red Legged Frogs (CRLF), a California species of special concern and federally listed threatened species. The project limits are within the historic range of CRLF though there are no recent accounts and it is widely believed CRLF is extirpated from the area.

The entire project limits were surveyed for potential CRLF presence. No CRLF were detected.

Environmental Consequences

Based on the above findings, the project is not expected to have any impacts on the California red legged frog.

CEQA Considerations

No impacts to the California red legged frog pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

- There are no avoidance, minimization and/or mitigation measures proposed for the California red legged frog.

Bats

Affected Environment

Yuma myotis, hoary bats and western red bats, as well as other bat species, have the potential to occur within the project area, particularly in the riparian areas and trees.

The project limits were surveyed for Yuma myotis, hoary bats and western red bats, as well as other bat species and it was determined that, though these bat species have small potential to occur within the riparian areas, the potential for impacts as a result of the project is minimal.

Environmental Consequences

Based on the above findings, the project is not expected to have any impacts on Bats.

CEQA Considerations

Less than significant impacts to bats pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Riparian areas and oak trees will be avoided to the greatest extent practicable.
- All trees will be surveyed prior to construction for nesting birds as well as bat colonies.

Black Rails

Affected Environment

Black rails inhabit shallow freshwater marsh, fresh emergent wetlands, and flooded wet meadows. There are numerous accounts of black rail in ponds within several miles of the project limits, though only marginal habitat capable of supporting black rail occurs within the project limits. There is small potential rail could inhabit riparian areas though their presence is unlikely. Grasslands and pasture also have the potential to support black rail, but due to the heavy human use of these areas within the project limits, their presence is again unlikely.

During project surveys, Black rails were not identified within the project limits.

Environmental Consequences

Based on the above findings, the project is not expected to have any impacts on Black Rails.

CEQA Considerations

No impacts to black rails pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Riparian habitat with potential to support black rails will be avoided to the greatest extent practicable.

2.3.4 Threatened and Endangered Species

Regulatory Setting

The primary federal law protecting threatened and endangered species is the Federal Endangered Species Act (FESA): 16 United States Code (USC) Section 1531, et seq. See also 50 Code of Federal Regulations (CFR) Part 402. This act and later amendments provide for the conservation of endangered and threatened species and the ecosystems upon which they depend. Under Section 7 of this act, federal agencies, such as the Federal Highway Administration (FHWA), are required to consult with the U.S. Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries Service) to ensure that they are not undertaking, funding, permitting, or authorizing actions likely to jeopardize the continued existence of listed species or destroy or adversely modify designated critical habitat. Critical habitat is defined as geographic locations critical to the existence of a threatened or endangered species. The outcome of consultation under Section 7 may include a Biological Opinion with an Incidental Take statement, a Letter of Concurrence and/or documentation of a No Effect finding. Section 3 of FESA defines take as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect or any attempt at such conduct."

California has enacted a similar law at the state level, the California Endangered Species Act (CESA), California Fish and Game Code Section 2050, et seq. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate planning to offset project-caused losses of listed species populations and their essential habitats. The California Department of Fish and Wildlife (CDFW) is the agency responsible for implementing CESA. Section 2081 of the Fish and Game Code prohibits "take" of any species determined to be an endangered species or a threatened

species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." CESA allows for take incidental to otherwise lawful development projects; for these actions an incidental take permit is issued by the CDFW. For species listed under both the FESA and CESA requiring a Biological Opinion under Section 7 of the FESA, the CDFW may also authorize impacts to CESA species by issuing a Consistency Determination under Section 2080.1 of the California Fish and Game Code.

Another federal law, the Magnuson-Stevens Fishery Conservation and Management Act of 1976, was established to conserve and manage fishery resources found off the coast, as well as anadromous species and Continental Shelf fishery resources of the United States, by exercising (A) sovereign rights for the purposes of exploring, exploiting, conserving, and managing all fish within the exclusive economic zone established by Presidential Proclamation 5030, dated March 10, 1983, and (B) exclusive fishery management authority beyond the exclusive economic zone over such anadromous species, Continental Shelf fishery resources, and fishery resources in special areas.

An Endangered Species list from USFWS dated December 17, 2015 can be found on page 56. The project will have No Effect on any of the listed species.

A California Natural Diversity Database (CNDD) species list from CDFW dated October 22, 2015 can be found on page 61. The project will have No Effect on any of the listed species.

Swainson's Hawk (*Buteo Swainsoni*)

Affected Environment

A wildlife survey was completed in March 2015. In addition, a Natural Environmental Study (NES) was completed in August 2015. Swainson's hawks have potential to occur within the oak riparian habitat within the project limits. Large trees within the project area and in the surrounding land have potential to support nesting Swainson's hawks, however, the project is likely located outside of the known range for nesting Swainson's hawks and surveys indicated no nest structures were within ¼ mile of the project.

Environmental Consequences

Based on the above findings, the project is not expected to have any impacts to Swainson's hawks.

CEQA Considerations

Less than significant impacts to Swainson's hawk pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- Pre-construction surveys for active raptor nests within ¼ mile of the project area will be conducted by a qualified biologist within 15 days prior to the initiation of construction activities. Areas to be surveyed will be limited to those areas subject to increased disturbance as a result of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests are identified, appropriate conservation measures (as determined by a qualified biologist) would be implemented. These measures may include, but are not limited to establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities in the vicinity of the active nest site until the young have fledged.

Steelhead Salmon (*Oncorhynchus mykiss*)

Affected Environment

Adult steelhead have an extremely small potential to occur in the lower reaches of the ephemeral streams downstream of the project limits during winter months, though they are not expected to occur in the project area. These fish migrate from the Pacific Ocean through the Yuba River and may enter these streams between December and March during high flow events. Juvenile steelhead migrate back to the Yuba River prior to the summer dry season.

Environmental Consequences

The proposed project will have minor impacts to riparian habitat associated with the streams within the project limits.

The proposed project will have only minimal temporary impacts to tributaries to the Yuba River. The reach of stream within the project limits is not known to support steelhead, or any other anadromous fish due to impassable barriers downstream from the project. Steelhead do not occur within the project limits.

CEQA Considerations

Less than significant impacts to Steelhead pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

Avoidance and Minimization Measures

- BMP's will minimize any potential impacts to streams or to Steelhead.

2.3.5 Invasive Species

Regulatory Setting

On February 3, 1999, President William J. Clinton signed Executive Order (EO) 13112 requiring federal agencies to combat the introduction or spread of invasive species in the United States. The order defines invasive species as "any species, including its seeds, eggs, spores, or other biological material capable of propagating that species, that is not native to that ecosystem whose introduction does or is likely to cause economic or environmental harm or harm to human health." Federal Highway Administration (FHWA) guidance issued August 10, 1999 directs the use of the State's invasive species list maintained by the California Invasive Species Council to define the invasive species that must be considered as part of the National Environmental Policy Act (NEPA) analysis for a proposed project.

Affected Environment

A Natural Environmental Study (NES) and a Visual Impact Assessment (VIA) were completed in August 2015.

In response to Executive Order 13112, FHWA requires an analysis of the risk for any federally funded action to cause or promote the introduction or spread of invasive species. Under NEPA Assignment, Caltrans is required to implement the duties and responsibilities normally carried out by FHWA. Disturbed soils are the perfect medium for the establishment of noxious weeds.

The primary invasive plant species within the project limits is the *Alnus altissima* Tree (Tree of Heaven). This invasive plant does not yet have a strong hold on the corridor. With careful removal and disposal, the project area can be cleared of this invasive plant, which will enable the ecosystem to revert back to indigenous plant species.

Environmental Consequences

The clearing, grading, and soil moving operations associated with roadway construction provide an opportunity for noxious weeds to become established. The construction of the project could allow for the spread of the Tree of Heaven, however, this will be avoided/minimized to the greatest extent possible.

CEQA Considerations

Less than significant impacts regarding invasive species pursuant to CEQA are anticipated.

Avoidance, Minimization, and/or Mitigation Measures

- All areas disturbed during construction shall receive permanent erosion control measures. Only native plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. A Landscape Architect will prepare the erosion control plans and specifications.

2.4 CONSTRUCTION IMPACTS

Temporary Air Quality and Noise Impacts During Construction

The construction of roadway improvements could generate temporary air quality impacts (e.g., increase in diesel fumes and dust) and noise impacts from heavy equipment operations. From a human environment perspective, the impacts would be most pronounced in the parts of the project area where developed land uses are adjacent to or near the project site.

Air Quality

The proposed project may result in the generation of short-term construction-related air emissions, including fugitive dust and exhaust emissions from construction equipment. Fugitive dust, sometimes referred to as windblown dust or PM₁₀, would be the primary short-term construction impact, and may be generated during excavation, grading and hauling activities. However, both fugitive dust and construction equipment exhaust emissions would be temporary and transitory in nature and minimized with the following:

- Caltrans Standard Specifications, a required part of all construction contracts, should effectively reduce and control emission impacts during construction under the provisions of Section 7-1.02C "Emission Reduction" and Section 14-9.03 "Dust Control". Provision 14-9.02 "Air Pollution Control" requires the contractor to comply with all pertinent rules, regulations, ordinances, and statutes of the local air district.

Noise

During construction noise may be generated from the contractors' equipment and vehicles. Caltrans requires the contractor to conform to the provisions of Standard Specification, Section 14-8.02 "Noise Control":

- Do not exceed 86 dBA LMax at 50 feet from the job site activities from 9 p.m. to 6 a.m.

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

2.5 CUMULATIVE IMPACTS

Regulatory Setting

Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of this proposed project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial impacts taking place over a period of time.

Cumulative impacts to resources in the project area may result from residential, commercial, industrial, and highway development, as well as from agricultural development and the conversion to more intensive types of agricultural cultivation. These land use activities can degrade habitat and species diversity through consequences such as displacement and fragmentation of habitats and populations, alteration of hydrology, contamination, erosion, sedimentation, disruption of migration corridors, changes in water quality, and introduction or promotion of predators. They can also contribute to potential community impacts identified for the project, such as changes in community character, traffic patterns, housing availability, and employment.

California Environmental Quality Act (CEQA) Guidelines, Section 15130, describes when a cumulative impact analysis is warranted and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts, under CEQA, can be found in Section 15355 of the CEQA Guidelines. A definition of cumulative impacts under the National Environmental Policy Act (NEPA) can be found in 40 Code of Federal Regulations (CFR), Section 1508.7 of the Council on Environmental Quality (CEQ) Regulations.

The following projects are anticipated to be constructed within the project area in the near future:

Present Actions in the Project Area

Caltrans Smartsville Highway Realignment Project 03-2F590: This is the project addressed in this document.

Reasonably Foreseeable Future Actions in the Project Area

Caltrans Timbuctoo Highway Realignment Project 03-3F510: Caltrans is currently working on a proposed project to realign a portion of and widen the shoulders of YUB-20 (PM 18.1/20.2) just west of this project 03-2F590 YUB-20 Smartsville.

Environmental Resources Considered in the Cumulative Effects Analysis

Biological Resources

The area considered for assessing incremental impacts to biological resources includes the area within a one mile radius of the project limits for the proposed project. Biological resources considered for cumulative impacts includes Oak Hardwoods/Montane Hardwoods, Riparian Habitat, Wildlife Corridors, and Other Waters.

Oak Woodlands/Montane Hardwoods

Of the present and reasonably foreseeable future projects identified, both projects have the potential to impact oak woodlands/montane hardwoods. However, with avoidance, minimization and mitigation measures incorporated, the impacts will be offset and incremental effects to oak woodlands/montane hardwoods would not be cumulatively considerable.

Impacts to Oak Woodlands/Montane Hardwoods would be avoided where possible, and otherwise limited to the minimum amount necessary to construct the project.

The proposed project would include mitigation required to fully offset impacts to Oak Woodlands; therefore, the project would not contribute to cumulative impacts to this resource.

Riparian Habitat

Of the present and reasonably foreseeable future projects identified, both projects have the potential to impact riparian habitat. Avoidance and minimization measures will reduce impact, and required mitigation will offset impacts so that incremental effects to riparian habitat would not be cumulatively considerable.

Impacts to Riparian Habitat would be avoided where possible, and otherwise limited to the minimum amount necessary to construct the project.

The proposed project would include mitigation required to fully offset impacts to riparian habitat; therefore, the project would not contribute to cumulative impacts to this resource.

Wildlife Corridors

Of the present and reasonably foreseeable future projects identified, both projects have the potential to impact wildlife corridors. At least one wildlife crossing would be included in the scope of the Smartsville project; this form of mitigation will offset impacts to wildlife movement, so the impacts would not be cumulatively considerable.

Impacts to Wildlife Corridors would be avoided where possible, and otherwise limited to the minimum amount necessary to construct the project.

The proposed project would include mitigation required to fully offset impacts to wildlife corridors; therefore, the project would not contribute to cumulative impacts to this resource.

Other Waters of the U.S.

Of the present and reasonably foreseeable future projects identified, both projects have the potential to impact Other Waters of the U.S. Impacts to Other Waters will be minimized as much as possible, and with incorporation of mitigation that will be required for impacts that will occur, the potential incremental effects to Other Waters would not be cumulatively considerable.

Impacts to Other Waters of the U.S. would be avoided where possible, and otherwise limited to the minimum amount necessary to construct the project.

The proposed project would include mitigation required to fully offset impacts to Other Waters of the U.S.; therefore, the project would not contribute to cumulative impacts to this resource.

2.6 CLIMATE CHANGE

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to greenhouse gas (GHG) emissions, particularly those generated from the production and use of fossil fuels. Research from such establishments as the Intergovernmental Panel on Climate Change (IPCC) are primarily concerned with the emissions of GHGs generated by human activity including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF₆), HFC-23 (fluoroform), HFC-134a (s, s, s, 2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of GHG emissions is electricity generation, followed by transportation. In California, however, transportation sources (including passenger cars, light duty trucks, other trucks, buses, and motorcycles make up the largest source (second to electricity generation) of GHG emitting sources. The dominant GHG emitted is CO₂, mostly from fossil fuel combustion.

There are four primary strategies for reducing GHG emissions from transportation sources: 1) improving the transportation system and operational efficiencies; 2) reducing growth of vehicle miles traveled (VMT); 3) transitioning to lower GHG emitting fuels; and 4) improving vehicle technologies. To be most effective all four strategies should be pursued collectively. The following Regulatory Setting section outlines state and federal efforts to comprehensively reduce GHG emissions from transportation sources.

Regulatory Setting

State

With the passage of several pieces of legislation including State Senate and Assembly bills and Executive Orders, California launched an innovative and proactive approach to dealing with GHG emissions and climate change. Relevant legislation include the following:

- Assembly Bill 1493 (AB 1493), Pavley.
- Executive Order (EO) S-3-05: (signed on June 1, 2005, by former Governor Arnold Schwarzenegger)
- AB 32, the Global Warming Solutions Act of 2006, Núñez and Pavley
- Executive Order S-20-06: (signed on October 18, 2006 by former Governor Arnold Schwarzenegger)
- Executive Order S-01-07: (signed on January 18, 2007 by former Governor Arnold Schwarzenegger)
- Senate Bill 97 (SB 97) Chapter 185, 2007

Federal

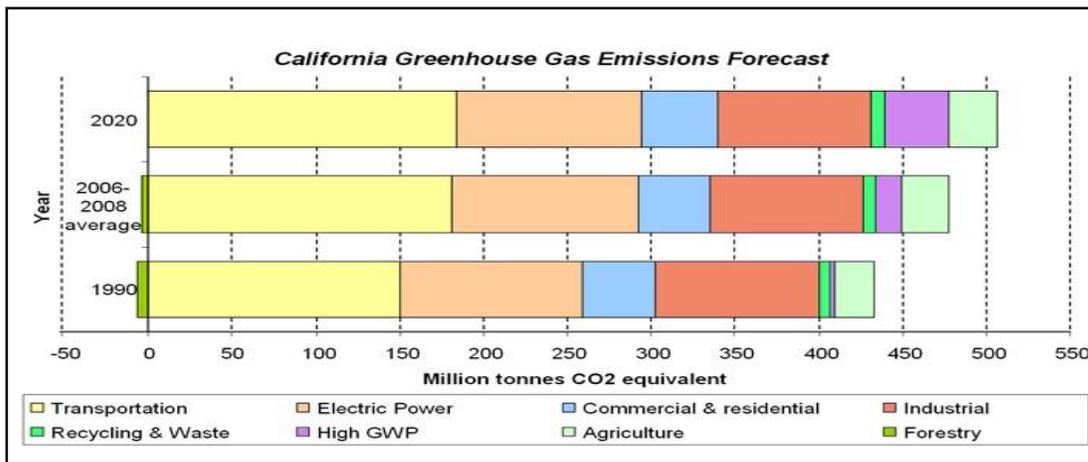
Although climate change and GHG reduction is a concern at the federal level; currently there are no regulations or legislation that have been enacted specifically addressing GHG emissions reductions and climate change at the project level. Neither the United States Environmental Protection Agency (U.S. EPA) nor the Federal Highway Administration (FHWA) has promulgated explicit guidance or methodology to conduct project-level GHG analysis. As stated on FHWA's climate change website (<http://www.fhwa.dot.gov/hep/climate/index.htm>), climate change considerations should be integrated throughout the transportation decision-making process—from planning through project development and delivery. Despite the lack of Federal GHG regulations and legislation, FHWA as well as the National Highway Traffic Safety Administration (NHTSA) and U.S. EPA are taking steps to lessen climate change impacts by improving transportation system efficiency, creating cleaner fuels, reducing the growth of vehicle hours travelled, and

enabling the production of a new generation of clean vehicles with reduced GHG emissions and improved fuel efficiency from on-road vehicles and engines.

Project Analysis

An individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may contribute to a potential impact through its *incremental* change in emissions when combined with the contributions of all other sources of GHG.³ In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable” (CEQA Guidelines Sections 15064(h)(1) and 15130). To make this determination, the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects to make this determination is a difficult, if not impossible, task.

The AB 32 Scoping Plan mandated by AB 32 includes the main strategies California will use to reduce GHG emissions. As part of its supporting documentation for the Draft Scoping Plan, the ARB released the GHG inventory for California (forecast last updated: October 28, 2010). The forecast is an estimate of the emissions expected to occur in 2020 if none of the foreseeable measures included in the Scoping Plan were implemented. The base year used for forecasting emissions is the average of statewide emissions in the GHG inventory for 2006, 2007, and 2008.



California GREENHOUSE GAS FORECAST

³ This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the South Coast Air Quality Management District (Chapter 6: The CEQA Guide, April 2011) and the U.S. Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).

Taken from : <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>

Caltrans and its parent agency, the California State Transportation Agency (CalSTA), have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California's GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation, Caltrans has created and is implementing the Climate Action Program at Caltrans that was published in December 2006.⁴

The purpose of the proposed project is to improve safety, and although turn lanes will be added, the project would not increase overall roadway capacity and, therefore, is not expected to increase operational CO₂ emissions. The traffic-smoothing impacts of the project would also result in decreased idling of vehicles at the intersection. Construction emissions will be unavoidable but there will likely be long-term CHG benefits by improved operation and smoother pavement surfaces.

Construction Emissions

Greenhouse gas emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by on-site construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

CEQA Conclusion

Although construction emissions are unavoidable and are expected to be minimal, the proposed project will not increase capacity and is not expected to result in additional operational CO₂ emissions. However, it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a determination regarding significance of the project's direct impact and its contribution on the cumulative scale to climate change.

⁴ Caltrans Climate Action Program is located at the following web address: http://www.dot.ca.gov/hq/tpp/offices/ogm/key_reports_files/State_Wide_Strategy/Caltrans_Climate_Action_Program.pdf

However, Caltrans is firmly committed to implementing measures to help reduce the potential effects of the project.

Greenhouse Gas Reduction Strategies

There are typically two terms used when discussing the impacts of climate change. "Greenhouse Gas Mitigation" is a term for reducing GHG emissions in order to reduce or "mitigate" the impacts of climate change. "Adaptation," refers to the effort of planning for and adapting to impacts resulting from climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels)⁵.

Greenhouse Gas Mitigation

AB 32 Compliance

Caltrans continues to be actively involved on the Governor's Climate Action Team as ARB works to implement Executive Orders S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. Many of the strategies Caltrans is using to help meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year.

The following measures will also be included in the proposed project to reduce the GHG emissions and potential climate change impacts from the project:

1. Traffic handling charts and specifications will be incorporated into the proposed project during the design phase that will be included as part of the Contractor's specification package in order to manage temporary construction delays. Traffic Management Plan elements that should be considered are:
2. Restrictions on when lanes may be closed.
3. Public notices and press releases provided in local newspapers before major stage or traffic shifts.
4. A Construction Zone Enhanced Enforcement Program (COZEEP) with the CHP during major construction that affects traffic, such as stage changes and traffic shifts.
5. Large trees that need to be removed due to the construction activities should be replaced by similar ornamental variety or native trees, where they do not interfere with roadway functions or utilities.

Adaptation Strategies

"Adaptation strategies" refer to how Caltrans and others can plan for the effects of climate change on the state's transportation infrastructure and strengthen or protect the facilities

⁵ http://climatechange.transportation.org/ghg_mitigation/

from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds from longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

Interim guidance has been released by The Coastal Ocean Climate Action Team (CO-CAT) as well as by Caltrans as a method to initiate action and discussion of potential risks to the states infrastructure due to projected sea level rise.

All projects that have filed a Notice of Preparation as of the date of EO S-13-08, and/or are programmed for construction funding from 2008 through 2013, or are routine maintenance projects may, but are not required to, consider these planning guidelines. The proposed project is outside the coastal zone and direct impacts to transportation facilities due to projected sea level rise are not expected.

Executive Order S-13-08 also directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance and operational improvements of the system, and economy of the state. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Executive Order S-13-08 also directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance and operational improvements of the system, and economy of the state. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

3 Chapter 3 Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation, the level of analysis required, and to identify potential impacts and mitigation measures and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including: Project Development Team (PDT) meetings, interagency coordination meetings, etc. This chapter summarizes the results of Caltrans' efforts to fully identify, address and resolve project-related issues through early and continuing coordination.

Federal Endangered Species Act (FESA) Consultation Summary

Caltrans contacted the National Marine Fisheries Service (NMFS) in January 2015 regarding the potential for listed anadromous fish species to occur within the project limits. NMFS concluded that potential for salmon and steelhead occurs within the Yuba River though there presence is not likely within the ESL.

An official species list was requested and downloaded from the United States Fish & Wildlife Service (USFWS) website on December 17, 2015 and is located on page 56. The project will have No Effect on any of the listed species.

The project area historically supported California Red Legged Frog (CRLF); however, it is expected that CRLF no longer exist in the project area. The Yuba River, which flows north of the project area, supports anadromous fish populations though streams in the project area do not have contiguous connectivity with the Yuba River. Based on previous consultations with the USFWS for projects within the vicinity of this project and the lack of known occurrences of CRLF within the project, this project is not within designated critical habitat or designated recovery area. Caltrans has determined there will be No Effect to CRLF.

Species List – USFWS

IPaC Trust Resource Report

Endangered Species

Proposed, candidate, threatened, and endangered species are managed by the [Endangered Species Program](#) of the U.S. Fish & Wildlife Service.

This USFWS trust resource report is for informational purposes only and should not be used for planning or analyzing project level impacts.

For project evaluations that require FWS concurrence/review, please return to the IPaC website and request an official species list from the Regulatory Documents section.

[Section 7](#) of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency.

A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from the Regulatory Documents section in IPaC.

The list of species below are those that may occur or could potentially be affected by activities in this location:

Amphibians

California Red-legged Frog *Rana draytonii* Threatened

CRITICAL HABITAT

There is final critical habitat designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=D02D

Crustaceans

Vernal Pool Fairy Shrimp *Branchinecta lynchi* Threatened

CRITICAL HABITAT

There is final critical habitat designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=K03G

Fishes

Delta Smelt *Hypomesus transpacificus* Threatened

CRITICAL HABITAT

There is final critical habitat designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=E07D

Steelhead *Oncorhynchus (=Salmo) mykiss* Threatened

CRITICAL HABITAT

There is final critical habitat designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=E08D

IPaC Trust Resource Report

Insects

Valley Elderberry Longhorn Beetle *Desmocerus californicus dimorphus* Threatened

CRITICAL HABITAT

There is final critical habitat designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=I011

Reptiles

Giant Garter Snake *Thamnophis gigas* Threatened

CRITICAL HABITAT

No critical habitat has been designated for this species.

https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=C057

Critical Habitats

There are no critical habitats in this location

IPaC Trust Resource Report

Migratory Birds

Birds are protected by the [Migratory Bird Treaty Act](#) and the [Bald and Golden Eagle Protection Act](#).

Any activity which results in the take of migratory birds or eagles is prohibited unless authorized by the U.S. Fish and Wildlife Service (1). There are no provisions for allowing the take of migratory birds that are unintentionally killed or injured.

Any person or organization who plans or conducts activities that may result in the take of migratory birds is responsible for complying with the appropriate regulations and implementing appropriate conservation measures.

Additional information can be found using the following links:

- Birds of Conservation Concern
<http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Conservation measures for birds
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Year-round bird occurrence data
<http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/akn-histogram-tools.php>

The following species of migratory birds could potentially be affected by activities in this location:

Bald Eagle <i>Haliaeetus leucocephalus</i> Year-round https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B008	Bird of conservation concern
Black Rail <i>Laterallus jamaicensis</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B09A	Bird of conservation concern
Burrowing Owl <i>Athene cunicularia</i> Year-round https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0NC	Bird of conservation concern
California Spotted Owl <i>Strix occidentalis occidentalis</i> Year-round https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B08L	Bird of conservation concern
Calliope Hummingbird <i>Stellula calliope</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0K3	Bird of conservation concern
Flammulated Owl <i>Otus flammeolus</i> Season: Breeding https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0DK	Bird of conservation concern

IPaC Trust Resource Report

Fox Sparrow <i>Passerella iliaca</i>	Bird of conservation concern
Year-round	
Green-tailed Towhee <i>Pipilo chlorurus</i>	Bird of conservation concern
Season: Breeding	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0IO	
Lewis's Woodpecker <i>Melanerpes lewis</i>	Bird of conservation concern
Season: Wintering	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HQ	
Loggerhead Shrike <i>Lanius ludovicianus</i>	Bird of conservation concern
Year-round	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FY	
Long-billed Curlew <i>Numerius americanus</i>	Bird of conservation concern
Season: Wintering	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B06S	
Nuttall's Woodpecker <i>Picoides nuttallii</i>	Bird of conservation concern
Year-round	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HT	
Oak Titmouse <i>Baeolophus inornatus</i>	Bird of conservation concern
Year-round	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0MJ	
Olive-sided Flycatcher <i>Contopus cooperi</i>	Bird of conservation concern
Season: Breeding	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0AN	
Peregrine Falcon <i>Falco peregrinus</i>	Bird of conservation concern
Season: Wintering	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FU	
Short-eared Owl <i>Asio flammeus</i>	Bird of conservation concern
Season: Wintering	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0HD	
Snowy Plover <i>Charadrius alexandrinus</i>	Bird of conservation concern
Season: Breeding	
Swainson's Hawk <i>Buteo swainsoni</i>	Bird of conservation concern
Season: Breeding	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B070	
Western Grebe <i>aechmophorus occidentalis</i>	Bird of conservation concern
Season: Wintering	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0EA	
Williamson's Sapsucker <i>Sphyrapicus thyroideus</i>	Bird of conservation concern
Year-round	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0FX	
Yellow-billed Magpie <i>Pica nuttalli</i>	Bird of conservation concern
Year-round	
https://ecos.fws.gov/tess_public/profile/speciesProfile.action?spcode=B0N8	

California Endangered Species Act (CESA) Consultation Summary

Prior to field surveys, Caltrans conducted a California Natural Diversity Database (CNDDDB) search for the project limits and the surrounding area on October 22, 2015 and is located on page 61. The project will have No Effect on any of the listed species.

CNDD Species List - CDFW

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Brandegee's clarkia <i>Clarkia biloba ssp. brandegeae</i>	PDONA05053	None	None	G4G5T4	S4	4.2
burrowing owl <i>Athene cunicularia</i>	ABNSB10010	None	None	G4	S3	SSC
California black rail <i>Lateralus jamaicensis coturniculus</i>	ABNME03041	None	Threatened	G3G4T1	S1	FP
California linderella <i>Linderella occidentalis</i>	ICBRA06010	None	None	G2G3	S2S3	
chinook salmon - Central Valley spring-run ESU <i>Oncorhynchus tshawytscha</i>	AFCHA0205A	Threatened	Threatened	G5	S1	
dwarf downlingia <i>Downlingia pusilla</i>	PDCAM060C0	None	None	GU	S2	2B.2
hoary bat <i>Lasiurus cinereus</i>	AMACC05030	None	None	G5	S4	
legeners <i>Legeners limosa</i>	PDCAM060C10	None	None	G2	S2	1B.1
long-eared owl <i>Asio otus</i>	ABNSB13010	None	None	G5	S3?	SSC
Northern Hardpan Vernal Pool <i>Northern Hardpan Vernal Pool</i>	CTT44110CA	None	None	G3	S3.1	
steelhead - Central Valley DPS <i>Oncorhynchus mykiss irideus</i>	AFCHA0209K	Threatened	None	G5T2Q	S2	
Swainson's hawk <i>Buteo swainsoni</i>	ABNKC19070	None	Threatened	G5	S3	
tricolored blackbird <i>Agelaius tricolor</i>	ABPBX0020	None	None	G2G3	S1S2	SSC
valley elderberry longhorn beetle <i>Desmocerus californicus dimorphus</i>	IICOL48011	Threatened	None	G3T2	S2	
vernal pool fairy shrimp <i>Branchinecta lynchi</i>	ICBRA03030	Threatened	None	G3	S3	
vernal pool tadpole shrimp <i>Lepidurus packardii</i>	ICBRA10010	Endangered	None	G3	S2S3	
western pond turtle <i>Emys marmorata</i>	ARAAD02030	None	None	G3G4	S3	SSC
western red bat <i>Lasiurus blossevilli</i>	AMACC05060	None	None	G5	S3	SSC
Yuma myotis <i>Myotis yumanensis</i>	AMACC01020	None	None	G5	S4	

Record Count: 19

Federal Wetlands and Other Waters Coordination Summary

One perennial stream, the “Town Canal”, (also known as Big Ravine) occurs within the project limits. It is classified as a jurisdictional “Other Waters of the United States” under the Clean Water Act (CWA) and it supports riparian habitat. Additional ephemeral streams located within the project limits will also be covered by the CWA and appropriate permitting will be required for any impacts.

Cultural Resources Consultation Summary

Caltrans contacted private property owners within the project limits by letter beginning in October 2012 regarding the environmental studies to be conducted for the project and to acquire permits to enter (PTEs) for studies on parcels within the project area.

As part of the public outreach and literature research efforts, Caltrans sent letters to the Nevada County Historical Society, the Yuba County Historical Society, and the Yuba Feather Historical Society on October 16, 2012. Follow-up phone calls were conducted on December 10th and 11th 2014.

As part of the federal and state requirements, consultation with the Native American community was initiated by Caltrans with a letter sent to the Native American Heritage Commission (NAHC) in Sacramento on October 11, 2012. The NAHC replied that their search of the sacred lands file failed to identify Native American cultural resources in the study area. The NAHC also provided a list of 12 Native American tribes, groups, and individuals with potential interests, concerns, and/or knowledge regarding cultural resources or Traditional Cultural Properties (TCPs) that may be affected by the project.

Caltrans sent a letter (dated October 16, 2012) to each of the parties on the NAHC contact list informing them of the project and to request their participation. The only response received was a letter (dated November 14, 2012) from the United Auburn Indian Community of the Auburn Rancheria requesting copies of archaeological reports associated with the project. Representatives of the United Auburn Indian Community of the Auburn Rancheria were also present, or afforded the opportunity to be present, during excavations of two prehistoric sites. Tribal monitors actively participated in the fieldwork and conveyed interest in the methods and findings.

Caltrans has also coordinated with the State Historic Preservation Office (SHPO) throughout the project development process. A copy of the Finding of Effects letter (dated May 12, 2015) can be found on page 63.

Finding of Effects Letter From SHPO

STATE OF CALIFORNIA – THE NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

1725 23rd Street, Suite 100
SACRAMENTO, CA 95816-7100
(916) 445-7000 Fax: (916) 445-7053
calshpo@parks.ca.gov
www.ohp.parks.ca.gov



May 12, 2015

Reply To: FHWA_2014_0127_002

Susan D. Baier, Chief
M-1 Environmental Management Branch
Caltrans District 3
703 B Street
Marysville, CA 95901

Re: Finding of Effect for the Proposed Smartsville Curve Correction Project, State Route 20, Yuba and Nevada Counties, CA

Dear Ms. Baier:

You are consulting with me regarding the subject undertaking in accordance with the January 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

Caltrans has determined that multi-component archaeological site CA-YUB-438/H is eligible for listing on the National Register of Historic Places (NRHP) under Criterion D and that the prehistoric portion of the site is considered to be non-contributing to the eligibility of the site as a whole. Caltrans received my concurrence with this determination on March 16, 2015.

The proposed undertaking will remove the site in its entirety and therefore, Caltrans has applied the criteria of adverse effect and has found, pursuant to Stipulation X.B of the PA, that a finding of adverse effect is appropriate for the undertaking. Therefore, Pursuant to Stipulation X.C.2 of the PA, they are requesting my concurrence on this finding of effect. Additionally, Caltrans has determined that the site is important only for what can be learned through data recovery and has minimal value for preservation in place. Therefore, they are seeking my comment that the finding of effect for this undertaking is exempt from Section 4(f), as the exception listed at 23 CFR 774.13(b)(2) applies. After reviewing the submitted documentation, I have the following comments:

- Pursuant to Stipulation X.C.2 of the PA and 36 CFR 800.5(d) (2), I concur with the finding of adverse effect for this undertaking.
- Pursuant to 23 CFR 774.13(b)(2), the Section 4(f) approval of this undertaking appears to be exempt as CA-YUB-438/H appears to be chiefly important because of what can be learned by data recovery and to have minimal value for preservation in place. However, I recommend that Caltrans consult with the appropriate interested Native American tribes on this finding prior to moving forward with the exemption.

Ms. Baier
May 12, 2015

FHWA_2014_0127_002
Page 2 of 2

Thank you for seeking my comments and considering historic properties as part of your undertaking. I look forward to continuing consultation with you regarding the resolution of adverse effects for this undertaking pursuant to 36 CFR 800.6. If you require further information, please contact Jessica Tudor of my staff at 916-445-7016 or at jessica.tudor@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, Ph.D.
State Historic Preservation Officer

Public Open House

On October 7, 2015, Caltrans conducted an open house at the Rose Bar School in the town of Smartsville. Approximately 25 people attended. The primary goal of the open house was to inform the public about the proposed project and to gather community input.

Draft Environmental Document

The Initial Study with Proposed Mitigated Negative Declaration/Environmental Assessment was made available for public and agency review and comment from September 28, 2015 to October 27, 2015. Caltrans has ensured that the document was made available to all appropriate parties and agencies, including the following: 1) Responsible agencies; 2) Trustee agencies that have resources affected by the project; 3) other state, federal and local agencies which have regulatory jurisdiction, or that exercise authority over resources which may be affected by the project; and 4) the general public. Copies of the document were made available at the Caltrans District 3 Office of Environmental Management (M-1) located at 703 B St., Marysville, CA 95901, the Yuba County Library, 303 2nd. Street, Marysville, CA 95901, the Nevada County Library – Grass Valley, 207 Mill Street, Grass Valley, CA 95945, the Nevada County Library – Penn Valley, 11336 Pleasant Valley Rd., Penn Valley, CA 95936 and via the Internet at www.dot.ca.gov/dist3/departments/envinternet/yuba.htm

www.dot.ca.gov/dist3/departments/envinternet/nevada.htm

Comments and Responses begin on page 66

Comment Letter 1 – Heidi Payne

State Route 20 Safety Improvement Project
OPEN HOUSE
Wednesday, October 7, 2015, 5:00-6:30 p.m., Rose Bar School
COMMENT SHEET



Name: Heidi Payne

Organization/ Business Affiliation (if applicable): _____

Address: 8911 Hwy 20, Smartsville

E-Mail Address: terrytah@att.net

Comments: _____

going east on Hwy 20 we need to
make a left turn into our drive-
way right where the passing lane
starts. This is very dangerous as
cars are speeding up to enter the
passing lane and one of these days
I or someone trying to make a left
turn to enter our driveway is going
to get hurt. I believe we need a
short turning lane
Heidi Payne

Completing and signing this document is voluntary. Caltrans may use this information for statistical purposes, to notify you of any future hearings, or to assist in providing you with further information. This document is public record and may be subject to inspection and copying by other members of the public.

Please deposit this sheet into the comment box before the end of the public meeting. Or if you wish, send your comments by mail to Caltrans, 703 B Street, Marysville, CA 95901 or by e-mail to Sutha Suthahar (sutha.suthahar@dot.ca.gov). **Please submit comments by October 27, 2015.**

Response 1 – Heidi Payne

Comment: The commentor asks to have a left turn lane into their driveway.

Response: Caltrans appreciates the public's input, interest, and comments made on the project. If room allows, the final project plans will include striping to accommodate a left turn lane.

Comment Letter 2 – Kit Burton, Page 1

ALTERNATIVE SR 20 TURNOFF TO SMARTSVILLE AND TIMBUCTOO

Kit Burton

10-21-15

The attached drawing shows a turnoff to both Smartsville and Timbuctoo that has the potential to be more effective in reducing collisions the alternative of having two closely separated turnoffs, one for Smartsville and one for Timbuctoo.

In addition to being more safe, this alternative would require only one bridge over Big Ravine, whereas the separated turnoff alternative would require two bridges. The existing bridge to Timbuctoo, an old single-lane bridge, would no longer be needed.

With this alternative, traffic between Smartsville and Timbuctoo would not have to enter and then exit SR 20. Also with this alternative there would be only one SR 20 left turn pocket required and there would be ample room for acceleration-deceleration lanes.

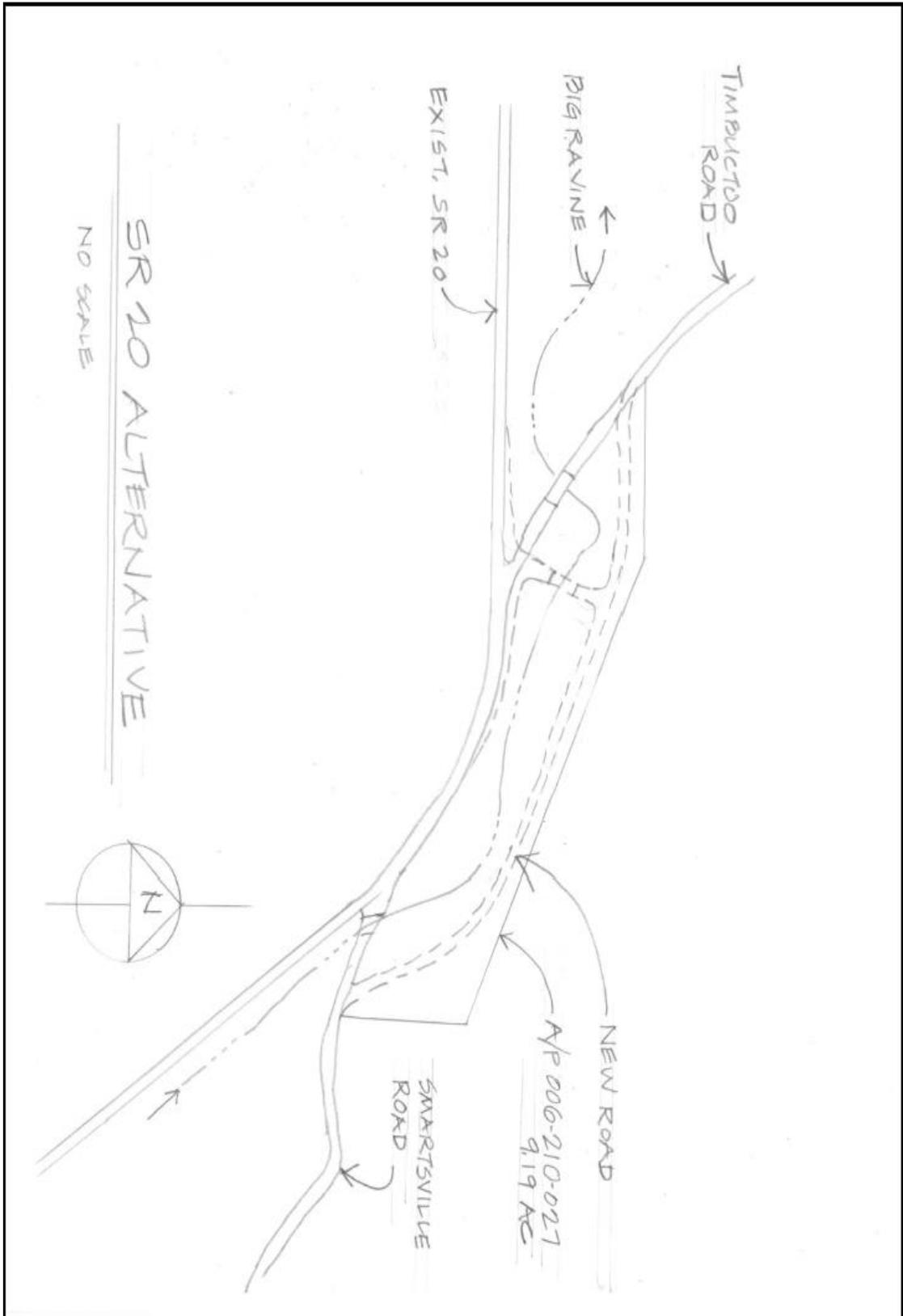
The wooded area between the new road and SR 20, along with the natural channel of Big Ravine could be an attractive entrance to the two historic Yuba County towns.

The attached drawing shows one possible location for the turnoff. Other locations within the curve of SR 20 could prove to be superior.

Smartsville and Timbuctoo are both California Historical Landmarks and have the potential to be thriving tourist destinations. Joining of the two existing road segments would enable the two towns to be part of a Yuba County Historic District away from heavy SR 20 traffic. Yuba County has recently completed construction of a new bridge on Timbuctoo Road across Big Ravine, re-establishing access to Timbuctoo from SR 20 near the Parks Bar Bridge.

Yuba County may be interested in working with CalTrans and the property owner to solve this safety issue and to open the way to a future Smartsville and Timbuctoo historic district.

Comment Letter 2 – Kit Burton, Page 2



Response 2 – Kit Burton

Comment: The commentor is proposing an alternate SR-20 turnoff to Smartsville and Timbuctoo.

Response: The commentor’s proposal involves construction of a new road that would be outside of the state right-of-way and under jurisdiction of Yuba County. The commentor could discuss the proposal with Yuba County Public Works personnel.

Comment Letter 3 – Central Valley Regional Water Quality Control Board, Page 1



Central Valley Regional Water Quality Control Board

20 October 2015

Susan Bauer
California Department of Transportation
703 B Street
Marysville, CA 95901

CERTIFIED MAIL
91 7199 9991 7035 8417 6139

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, YUB-20 SMARTSVILLE SAFETY IMPROVEMENT PROJECT, SCH# 2015102002, NEVADA AND YUBA COUNTIES

Pursuant to the State Clearinghouse's 1 October 2015 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 YUB-20 Smartsville Safety Improvement Project, located in Nevada and Yuba Counties.

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,

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

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Comment Letter 3 – Central Valley Regional Water Quality Control Board, Page 2

YUB-20 Smartsville Safety Improvement Project - 2 -
Nevada and Yuba Counties

20 October 2015

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:
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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 Policy is available on page IV-15.01 at:
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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 Activities (Construction General Permit), Construction General Permit Order No. 2009-009-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

Comment Letter 3 – Central Valley Regional Water Quality Control Board, Page 3

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20 October 2015

(SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

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:

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Clean Water Act Section 404 Permit

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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 USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE 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.

Waste Discharge Requirements – Discharges to Waters of the State

If USACOE 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

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Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program. There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_oval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating

Comment Letter 3 – Central Valley Regional Water Quality Control Board, Page 5

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20 October 2015

in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

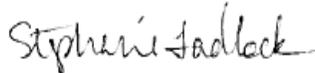
Low or Limited Threat General NPDES Permit

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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

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

Response 3 – Central Valley Regional Water Quality Control Board

Comment: The Regional Water Quality Control Board has measures that shall be considered during project development and construction.

Response: Caltrans will consider all of the measures put forth by the Regional Water Quality Control Board.

Comment Letter 4 – California Department of Fish and Wildlife

Carroll, Chris S@DOT

From: Torres, Juan@Wildlife
Sent: Tuesday, October 27, 2015 12:17 PM
To: Carroll, Chris S@DOT
Cc: Wildlife R2 LSA
Subject: State Route 20 Smartsville Safety Improvement Project [State Clearinghouse No. 2015102002] CDFW Comments
Attachments: HelpDesk_20151027_115221.pdf

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the State Route 20 Smartsville Safety Improvement Project (Project) [State Clearinghouse No. 2015102002]. CDFW is responding to the IS/MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code Sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines Section 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code Sections 2080 and 2080.1).

The California Department of Transportation (Caltrans) proposes to realign a segment of State Route 20 in Yuba and Nevada Counties.

CDFW has the following concerns about the Project, and requests that these concerns be addressed in the CEQA document:

1. The IS/MND requests comments by October 27, 2015. Please note that to fulfill CEQA requirements Caltrans should accept comments received no later than October 30, 2015. See attached State Clearinghouse documentation.
2. Oak Woodlands. Caltrans typically proposes to mitigate oak woodlands impacts at a 1.5 to 1 mitigation ratio. This mitigation typically combines habitat creation and habitat preservation. The CEQA document should clarify if Caltrans will follow this criterion and include a definition of what constitutes an appropriate number of replacement trees.
3. Wildlife Corridors. The IS/MND states that a wildlife crossing will be constructed within the project limits. The Department requests that Caltrans coordinate the location and size with our staff.
4. Bats. The IS/MND shall include specific measures in case bats are discovered during pre-construction surveys.
5. Black Rails. Please clarify if species specific surveys were conducted to ascertain the presence of black rails within the project footprint. Please note that species specific surveys shall be conducted in those areas where habitat for this species is present to ensure that the species is not present within the project limits. Black rail is a fully protected species; therefore, per Fish and Game Code section 3511, the Department cannot authorize any take to this species.

Please note that when acting as a responsible agency, CEQA guidelines section 15096, subdivision (f) requires the Department to consider the CEQA environmental document prepared by the lead agency prior to reaching a decision on the project. Addressing the Department's comments and disclosing potential Project impacts on CESA-listed species and any river, lake, or stream, and provide adequate avoidance, minimization, mitigation, monitoring and reporting measures; will assist the Department with the consideration of the IS/MND and reduce potential delays when issuing an ITP and/or an LSA Agreement.

If you should have any questions pertaining to these comments, please contact me at (916) 358-2951 or Juan.Torres@wildlife.ca.gov

Comment Letter 4 – California Department of Fish and Wildlife, page 2

Juan Lopez Torres
Senior Environmental Scientist (Specialist)

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE 
NORTH CENTRAL REGION
HABITAT CONSERVATION PROGRAM
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
Office: (916) 358-2951
Fax: (916) 358-2912
Juan.Torres@wildlife.ca.gov
www.wildlife.ca.gov

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Response 4 – Central Valley Regional Water Quality Control Board

Comment 1: The IS/MND requests comments by October 27, 2015. Please note that to fulfill CEQA requirements Caltrans should accept comments received no later than October 30, 2015.

Response 1: Caltrans will accept comments that are received no later than October 30, 2015.

Comment 2: Caltrans typically proposes to mitigate oak woodlands impacts at a 1.5 to 1 mitigation ratio. This mitigation typically combines habitat creation and habitat preservation. The CEQA document should clarify if Caltrans will follow this criterion and include a definition of what constitutes an appropriate number of replacement trees.

Response 2: Caltrans will comply with the required mitigation ratio.

Comment 3: The IS/MND states that a wildlife crossing will be constructed within the project limits. The Department requests that Caltrans coordinate the location and size with our staff.

Response 3: Caltrans will coordinate with CDFW on the location and size of the proposed wildlife crossing.

Comment 4: The IS/MND shall include specific measures in case bats are discovered during pre-construction surveys.

Response 4: If bats are discovered during pre-construction surveys, Caltrans will comply with any applicable measures.

Comment 5: Please clarify if species specific surveys were conducted to ascertain the presence of black rails within the project footprint. Please note that species specific surveys shall be conducted in those areas where habitat for this species is present to ensure that the species is not present within the project limits. Black rail is a fully protected species; therefore, per Fish and Game Code section 3511, the Department cannot authorize any take to this species.

Response 5: Black rails inhabit shallow freshwater marsh, fresh emergent wetlands, and flooded wet meadows. There are numerous accounts of black rail in ponds within several miles of the ESL though no habitat capable of supporting black rail occurs within the ESL.

There are no fresh emergent wetlands or other flooded habitat capable of supporting black rail. The creek within the ESL does not contain habitat so protocol level surveys were not conducted.

Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 1



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

November 3, 2015

Susan D. Bauer
California Department of Transportation, District 3
703 B Street
Marysville, CA 95901

Subject: YUB-20 Smartsville Safety Improvement Project
SCH#: 2015102002

Dear Susan D. Bauer:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on October 30, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 2

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015102002
Project Title YUB-20 Smartsville Safety Improvement Project
Lead Agency Caltrans #3

Type MND Mitigated Negative Declaration

Description Caltrans proposes to improve the safety along SR-20 (YUB-20 PM 20.2/21.7 and NEV-20 PM 0.0/0.1) in Yuba and Nevada Counties. The scope of work would include: Realignment of portions of the existing highway to connect non-standard curves, improve sight distance, realign county roads as necessary for proper intersection alignment, construct new drainage systems as necessary for new alignment segments, drainage improvements as necessary, shoulder widening, roadway signage and striping, and adding right and left turn pockets at Smartsville Rd.

Lead Agency Contact

Name Susan D. Bauer
Agency California Department of Transportation, District 3
Phone 530 741 7113 **Fax**
email
Address 703 B Street
City Marysville **State** CA **Zip** 95901

Project Location

County Yuba, Nevada
City
Region
Lat / Long
Cross Streets SR 20 & Smartsville Rd
Parcel No.

Township	Range	Section	Base

Proximity to:

Highways Hwy 20
Airports
Railways
Waterways Yuba River
Schools Rose Bar School
Land Use Rural Residential, Smartsville-Timbuctoo Community Boundary

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Public Services; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 N; Air Resources Board, Transportation Projects; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission

Date Received 10/01/2015 **Start of Review** 10/01/2015 **End of Review** 10/30/2015

Note: Blanks in data fields result from insufficient information provided by lead agency.

Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 3



Central Valley Regional Water Quality Control Board

20 October 2015

Susan Bauer
California Department of Transportation
703 B Street
Marysville, CA 95901

CERTIFIED MAIL
91 7199 9991 7035 8417 6139

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, YUB-20 SMARTSVILLE SAFETY IMPROVEMENT PROJECT, SCH# 2015102002, NEVADA AND YUBA COUNTIES

Pursuant to the State Clearinghouse's 1 October 2015 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 YUB-20 Smartsville Safety Improvement Project, located in Nevada and Yuba Counties.

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,

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Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 4

YUB-20 Smartsville Safety Improvement Project - 2 -
Nevada and Yuba Counties

20 October 2015

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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.

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Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 5

YUB-20 Smartsville Safety Improvement Project - 3 -
Nevada and Yuba Counties

20 October 2015

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Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 6

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Comment Letter 5 – State Clearinghouse CEQA Compliance Letter, Page 7

YUB-20 Smartsville Safety Improvement Project - 5 -
Nevada and Yuba Counties

20 October 2015

in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$8.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

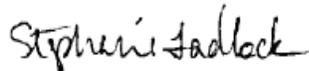
Low or Limited Threat General NPDES Permit

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 *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

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/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie.Tadlock@waterboards.ca.gov.



Stephanie Tadlock
Environmental Scientist

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

Response 5 – State Clearinghouse CEQA Compliance Letter

Comment: This is a letter acknowledging Caltrans has complied with the State Clearinghouse review requirements for draft environmental documents under CEQA.

Response: No response required.

4 Chapter 4 List of Preparers

The following Caltrans District 3 staff contributed to the preparation of this Initial Study/Environmental Assessment:

Chris Carroll, Associate Environmental Planner. Contribution: Environmental Coordinator and Document Writer

Susan Bauer, Senior Environmental Planner. Contribution: Document Reviewer

Erin Dwyer, Associate Environmental Planner (Archaeology). Contribution: Historic Property Survey Report (HPSR)

Brooks Taylor, Associate Environmental Planner (Natural Sciences). Contribution: Project Biologist, Natural Environmental Study (NES)

Chris Kuzak, Associate Environmental Planner (Architectural Historian). Contribution: Historic Resources Evaluation Report (HRER)

Leslie Morgan, Landscape Architect. Contribution: Visual Impact Assessment (VIA)

Alicia Beyer, Associate Environmental Planner (Hazardous Waste). Contribution: Hazardous Waste Initial Site Assessment (ISA)

Shalanda Christian, Transportation Engineer (former Air/Noise Specialist), Contribution: Air Quality and Noise Studies

Chris Igbinedion, Transportation Engineer (former Water Quality Specialist). Contribution: Water Quality Study

Kevin Lee, Transportation Engineer (Traffic Operations). Contribution: Project Design

Eric Royer, Transportation Engineer. Contribution: Traffic Analysis

Mike Hagen, Traffic Safety. Contribution: Traffic Safety Information

Poppea Darling, R/W Agent. Contribution: R/W Permits to Enter and Acquisition

Sutha Suthahar, Transportation Engineer (Project Management). Contribution: Project Manager

Appendix A. CEQA Checklist

Supporting documentation of all California Environmental Quality Act (CEQA) checklist determinations is provided in Chapter 2 of this Initial Study/Environmental Assessment (IS/EA). Documentation of “No Impact” determinations is provided at the beginning of Chapter 2. Discussion of all impacts, avoidance, minimization, and/or mitigation measures is under the appropriate topic headings in Chapter 2.

CEQA Environmental Checklist

03-YUB-20
03-NEV-20

20.1/21.7
0.0/0.1

03-2F590
03-0002-0624

Dist.-Co.-Rte.

P.M/P.M.

E.A.

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” and “Less Than Significant Impact” determinations is based on the project scope, field reviews, and the Visual Impact Assessment (VIA)

II. 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 Dept. 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. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, 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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations are based on the project scope and field reviews.

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

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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“No Impact” and “Less Than Significant Impact” determinations are based on the project scope, field reviews, and the Air Quality Report.

IV. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| 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 Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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 Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

“No Impact” and “Less Than Significant Impact” and “Less Than Significant With Mitigation” determinations are based on the project scope, field reviews, and the Natural Environmental Study.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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V. CULTURAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

“No Impact”, “Less Than Significant Impact” and “Less than Significant with Mitigation” determinations are based on the project scope, field reviews, and the Cultural Resources Reports.

VI. GEOLOGY AND SOILS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| v) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	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 on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations are based on the project scope and field reviews.

VII. GREENHOUSE GAS EMISSIONS: Would the project:

- a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?
- b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

An assessment of the greenhouse gas emissions and climate change is included in the body of environmental document. While Caltrans has included this good faith effort in order to provide the public and decision-makers as much information as possible about the project, it is Caltrans determination that in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a significance determination regarding the project's direct and indirect impact with respect to climate change. Caltrans does remain firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the body of the environmental document.

VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of 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?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

"No Impact" determinations are based on the project scope, field reviews and the Initial Site Assessment (ISA).

IX. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” and “Less Than Significant Impact” determinations are based on the project scope, field reviews and the water quality report.

X. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations are based on the project scope and field reviews.

XI. MINERAL RESOURCES: Would the project:

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations are based on the project scope and field reviews.

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” and “Less Than Significant Impact” determinations are based on the project scope, field reviews and the noise study.

XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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“No Impact” determinations are based on the project scope and field reviews.

XIV. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

“No Impact” determinations are based on the project scope and field reviews.

XV. 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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determination is based on the project scope and field reviews.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
--------------------------------	---------------------------------------	------------------------------	-----------

XVI. TRANSPORTATION/TRAFFIC: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

“No Impact” determinations are based on the project scope, field reviews and the traffic analysis.

XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

"No Impact" and "Less Than Significant Impact" determinations are based on the project scope and field reviews.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix B. Title VI Policy Statement

DEPARTMENT OF TRANSPORTATION
OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-5266
FAX (916) 654-6608
TTY 711
www.dot.ca.gov



*Flex your power!
Be energy efficient!*

March 2013

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

For information or guidance on how to file a complaint based on the grounds of race, color, national origin, sex, disability, religion, sexual orientation, or age, please visit the following web page: http://www.dot.ca.gov/hq/bep/title_vi/t6_violated.htm.

Additionally, if you need this information in an alternate format, such as in Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, 1823 14th Street, MS-79, Sacramento, CA 95811. Telephone: (916) 324-0449, TTY: 711, or via Fax: (916) 324-1949.

A handwritten signature in blue ink, appearing to read "Malcolm Dougherty".

MALCOLM DOUGHERTY
Director

Appendix C. Avoidance, Minimization and/or Mitigation Summary

Avoidance / Minimization Measures

Relocations and Real Property Acquisitions

- Following project approval, Caltrans Right of Way staff will coordinate with affected property owners concerning compensation for loss of property.
- Property acquisition will be minimized as much as possible.

Utilities/Emergency Services

- All emergency response agencies in the project area will be notified of the project construction schedule and will have access to SR-20 throughout the construction period.
- Caltrans will coordinate with the utility providers before relocation of any utilities to ensure that potentially affected utility customers are notified of potential service disruptions before relocations.

Traffic and Transportation/Pedestrian and Bicycle Facilities

- Pedestrian and bicycle access must be maintained during construction.
- The Contractor will be required to minimize any access delays to driveways or public roadways within or near the work zones.
- A Traffic Management Plan will be prepared.

Visual/Aesthetics

- All areas disturbed during construction shall receive permanent erosion control measures. Only native plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. A Landscape Architect will prepare the erosion control plans and specifications.
- Vegetation removal, including removal of trees, will be kept to the minimum amount necessary to construct the project.

Cultural Resources

- If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist can assess the nature and significance of the find.
- If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to CA Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact the Environmental Senior and Professionally Quality Staff so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable.

Water Quality and Storm Water Runoff

- The project shall comply with the requirements prescribed in Caltrans Statewide NPDES Permit No. CAS 000003 (Order No. 2012-0011-DWQ).
- The requirements of NPDES General Permit No. CAS000002 (Order No. 2009-0009-DWQ, as amended) for General Construction Activities are applicable to the project since the total disturbed soil area (DSA) is equal to or greater than 1.0 acre.
- A Caltrans approved Storm Water Pollution Prevention Plan (SWPPP) will be required.
- A Contractor prepared SWPPP shall incorporate appropriate temporary construction site BMPs to implement effective handling, storage, use and disposal practices during construction activities.
- Existing drainage facilities shall be identified and protected by the application of appropriate construction site BMPs.
- Caltrans shall implement the programs specified in its approved Storm Water Management Plan. Caltrans NPDES office will participate in early project design consultation with the Regional Board. Coordination with Regional Board staff shall be conducted through the District NPDES Coordinator.

Hazardous Waste/Materials

Caltrans' Standard Special Provisions (SSP's) will be included in the construction contract to address the following issues:

- SSP 14-11.07 is required if the project includes separate removal of yellow or white thermoplastic and/or paint striping.
- SSP 15-1.03B is required if the yellow or white thermoplastic and/or paint striping will be removed while grinding the entire pavement surface.
- SSP 15-2.02C(2) is required for the removal of traffic striping and pavement markings that contains lead when the residue is considered non-hazardous.
- SSP 7-1.02K96(j)(iii) is required for earth material containing lead.
- SSP 14-11.3 is required for material containing hazardous concentrations of Aerially Deposited Lead (ADL).
- SSP 14-11.09 is required for Treated Wood Waste (TWW).

Natural Communities

- Oak trees will be avoided to the greatest extent practicable.
- Riparian habitat will be avoided to the greatest extent practicable.

Jurisdictional Other Waters of the U.S.

- Impacts to streams will be avoided and/or minimized to the greatest extent practicable.

Animal Species

- BMP's will minimize any potential impacts to streams or to Steelhead.
- Riparian areas and oak trees will be avoided to the greatest extent practicable.
- All trees will be surveyed prior to construction for nesting birds as well as bat colonies.
- Riparian habitat with potential to support black rails will be avoided to the greatest extent practicable.

Threatened and Endangered Species

- Pre-construction surveys for active raptor nests within ¼ mile of the project area will be conducted by a qualified biologist within 15 days prior to the initiation of construction activities. Areas to be surveyed will be limited to those areas subject to increased disturbance as a result of construction activities (i.e., areas where existing traffic or human activity is greater than or equal to construction-related disturbance need not be surveyed). If any active raptor nests are identified, appropriate conservation measures (as determined by a qualified biologist) will be implemented. These measures may include, but are not limited to establishing a construction-free buffer zone around the active nest site, biological monitoring of the active nest site, and delaying construction activities in the vicinity of the active nest site until the young have fledged.

Air Quality

- Caltrans Standard Specifications, a required part of all construction contracts, should effectively reduce and control emission impacts during construction under the provisions of Section 7-1.02C “Emission Reduction” and Section 14-9.03 “Dust Control”. Provision 14-9.02 “Air Pollution Control” requires the contractor to comply with all pertinent rules, regulations, ordinances, and statutes of the local air district.

Noise

- Do not exceed 86 dBA LMax at 50 feet from the job site activities from 9 p.m. to 6 a.m.
- Equip an internal combustion engine with manufacturer-recommended muffler.
- Do not operate an internal combustion engine on the job site without the appropriate muffler.

Mitigation Measures

Cultural Resources

- Caltrans shall ensure that the adverse effects of the undertaking on the historic-era component of archaeological site CA-YUB-438/H are mitigated through data recovery as stipulated in the 2015 Memorandum of Agreement.

Natural Communities

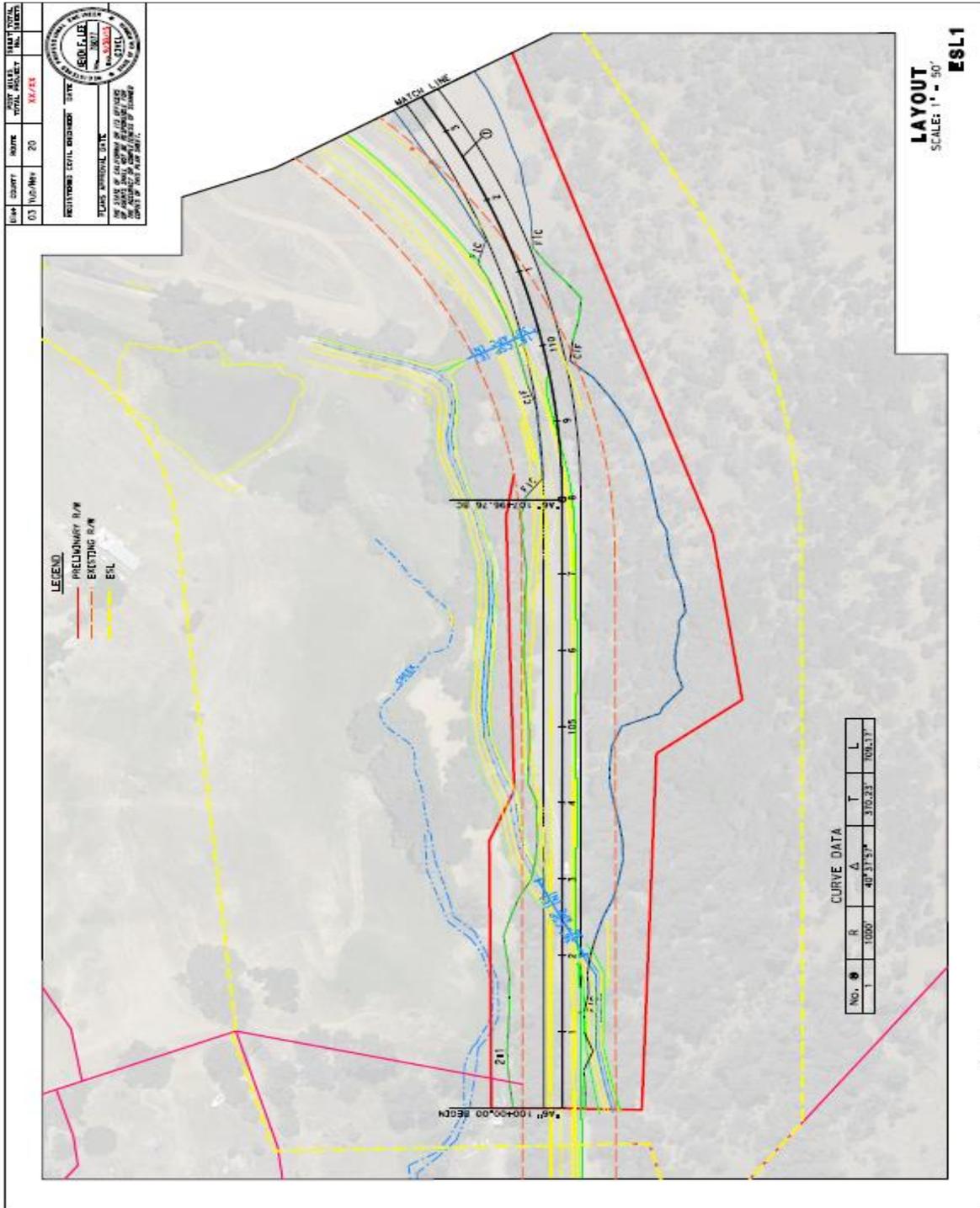
- All tree removal will be documented and an appropriate number of replacement trees would be planted within existing right of way where feasible or in the restoration area, which includes the old roadway. In addition, offsite oak tree planting will be required.

- Impacts to riparian habitat will be mitigated through on-site restoration or off-site restoration at an alternate location.
- Potential impacts to wildlife migration will be mitigated through the construction of a wildlife undercrossing within the project limits.

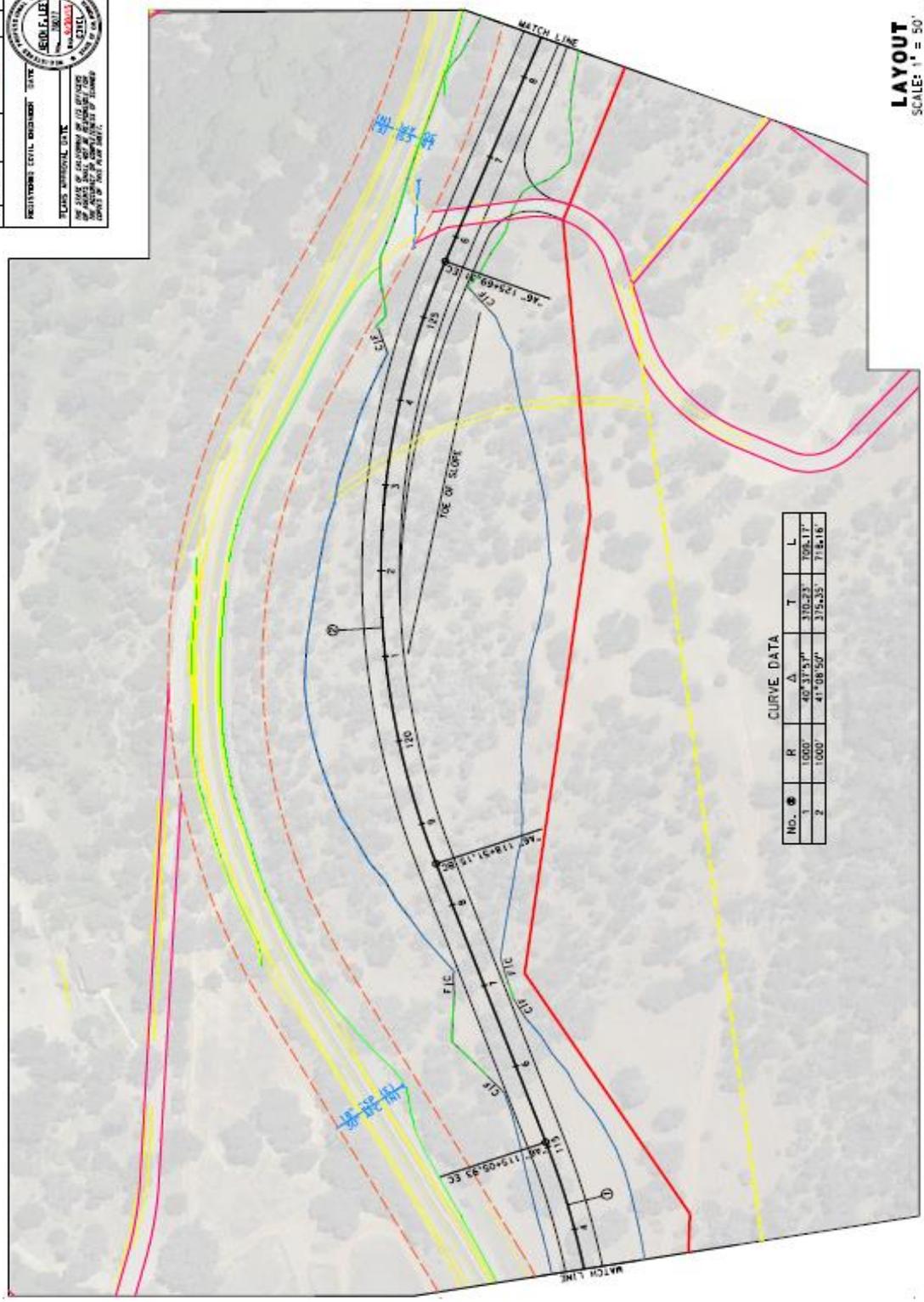
Other Waters of the U.S.

- Impacts to jurisdictional Other Waters of the U.S. will be mitigated through purchase of credits at an offsite mitigation bank, or through payment to an In Lieu Fee mitigation program.

Appendix D. Layout Sheets



DATE	03/10/2018	DATE	03/10/2018	DATE	03/10/2018
PROJECT	03/10/2018	PROJECT	03/10/2018	PROJECT	03/10/2018
<p>REVISIONS: DATE: 03/10/2018</p> <p>SCALE: 1" = 50'</p> <p>DATE: 03/10/2018</p> <p>DATE: 03/10/2018</p>					



CURVE DATA

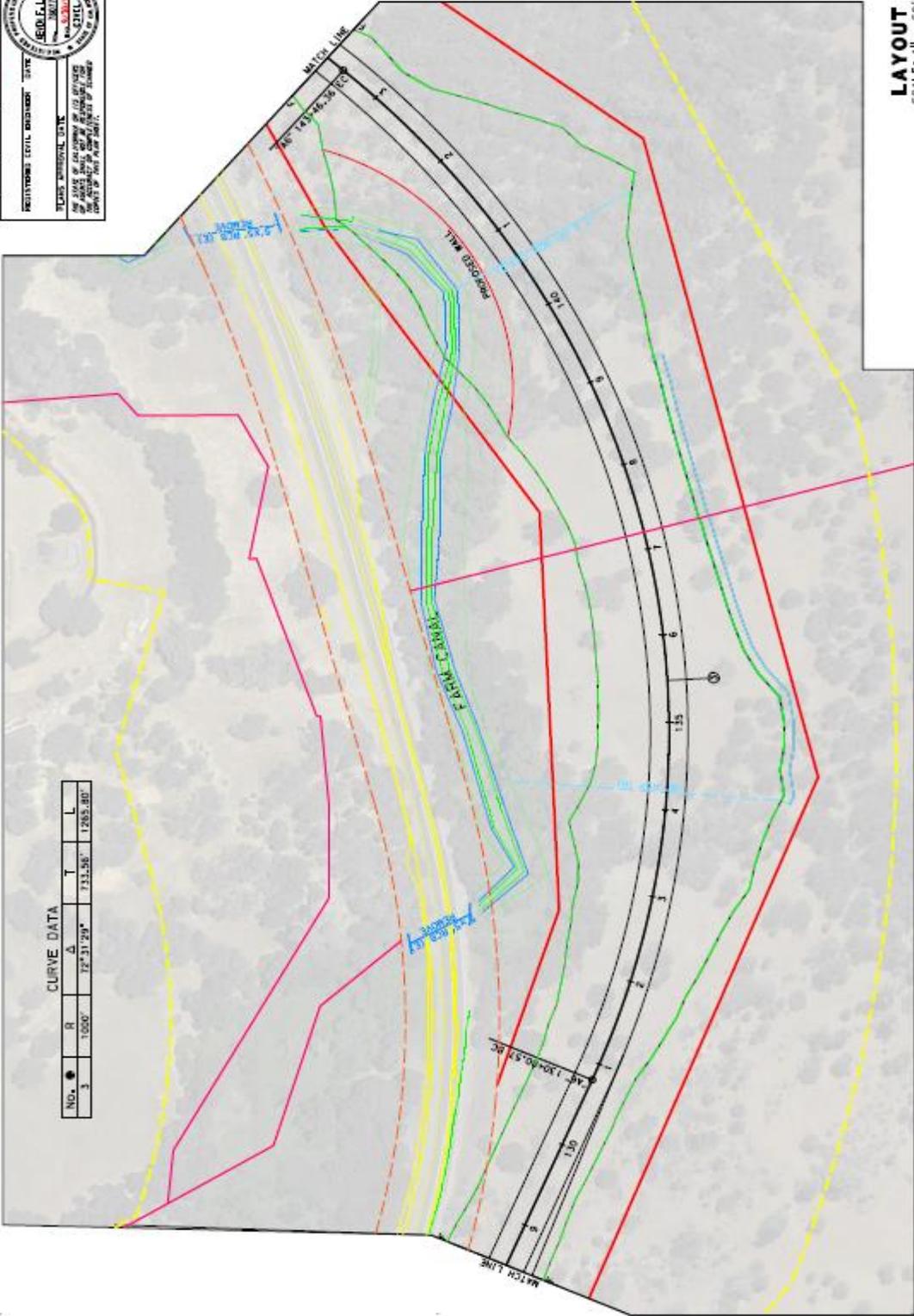
NO.	R	A	T	L
1	1000'	40° 37' 51"	370.23'	708.17'
2	1000'	41° 08' 50"	375.35'	718.18'

LAYOUT
SCALE: 1" = 50'
ESL2

NO. COUNTY	DATE	POST MILES	TOTAL MILES
03 Polk/Wea	20	33/33	

REVISIONS	DATE	BY

SCALE	DATE
1" = 30'	03/11/10



CURVE DATA

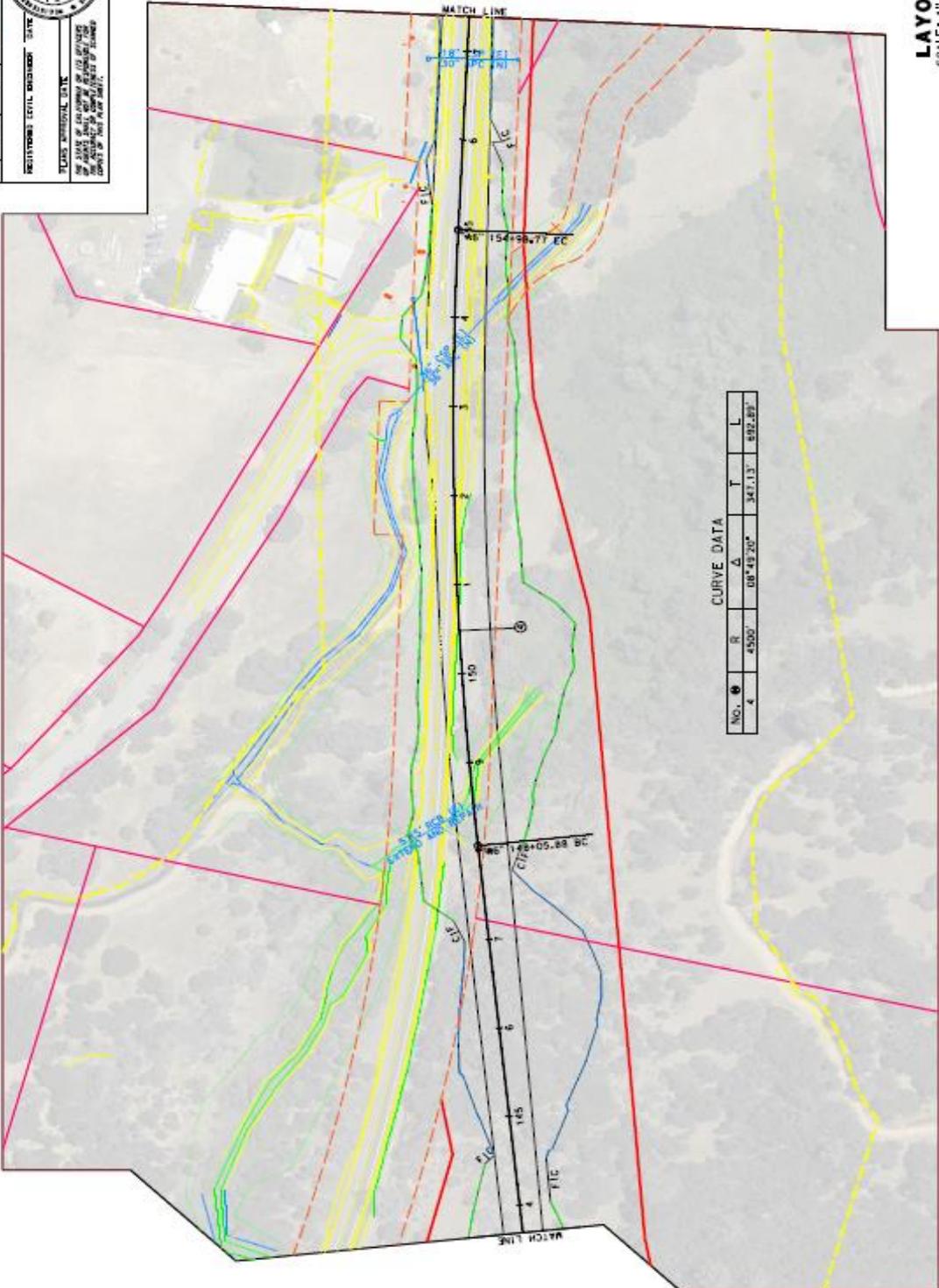
No.	R	Δ	T	L
3	1000'	12°31'29"	733.58'	1785.80'

LAYOUT
SCALE: 1" = 30'
E8L3

Sheet	03	County	Wayne	Sheet	20	Year	2013	Scale	1" = 50'
Project		2013		20		2013		1" = 50'	



REVISIONS TOTAL REVISIONS DATE
 NO. OF REVISIONS OF THIS SHEET
 THIS SHEET IS A PART OF A PROJECT
 THE PROJECT IS A PART OF A PROJECT
 THE PROJECT IS A PART OF A PROJECT



CURVE DATA

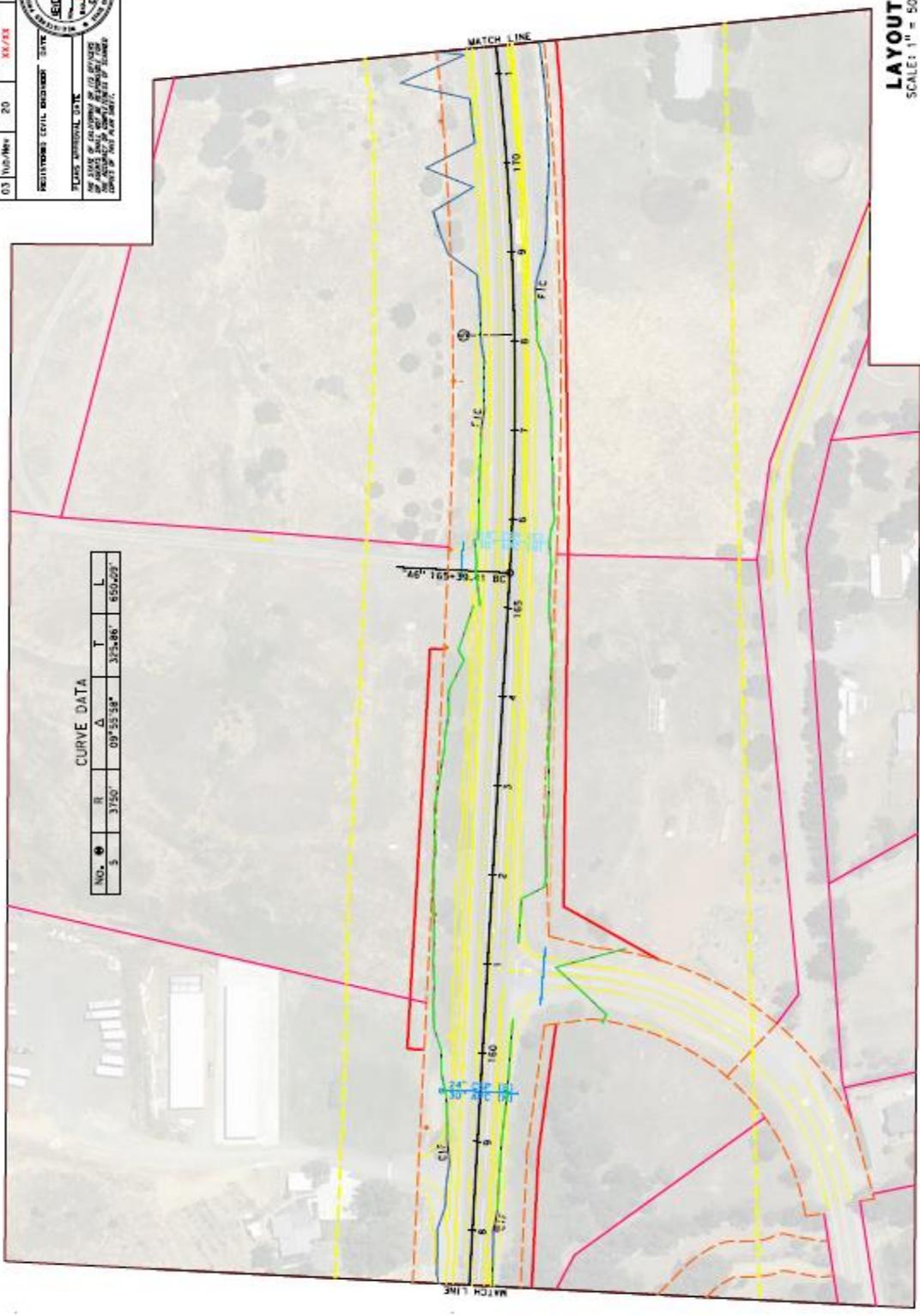
NO.	R	Δ	T	L
4	4500'	08°43'20"	341.13'	892.87'

LAYOUT
 SCALE: 1" = 50'
ESL4

PLAN NO.	03	SHEET NO.	20	TOTAL SHEETS	20
PROJECT	ROADWAY IMPROVEMENTS PROJECT				
DATE	10/15/11				
DESIGNER	K&K ENGINEERS, INC.				
CHECKER	K&K ENGINEERS, INC.				
APPROVER	K&K ENGINEERS, INC.				

STATE OF CALIFORNIA
 DEPARTMENT OF TRANSPORTATION
 DIVISION OF HIGHWAYS
 SAN JOSE OFFICE
 1000 CALIFORNIA AVENUE, SUITE 100
 SAN JOSE, CALIFORNIA 95128

NO.	R	Δ	T	L
1	3150'	09°55'58"	315.86'	650.62'



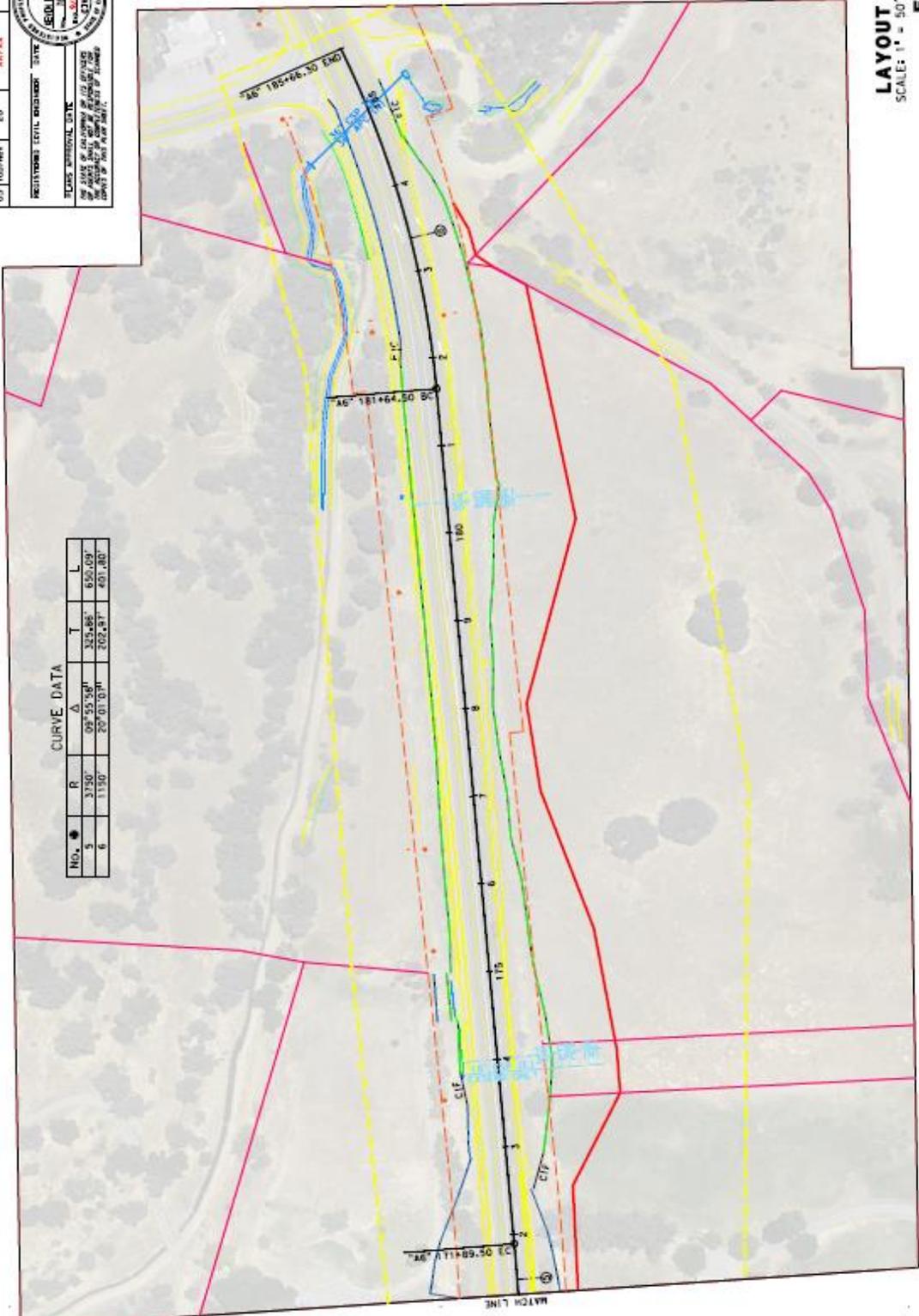
LAYOUT
 SCALE: 1" = 50'
ESL5

PLAN SHEET NO.	DATE	SCALE	TOTAL SHEETS
03	10/2/18	1" = 50'	33 / 33

REGISTERED PROFESSIONAL ENGINEER
 STATE OF MISSISSIPPI
 NO. 27111
 EXPIRES 12/31/2023

CURVE DATA

No.	R	Δ	T	L
5	3750'	09°55'58"	325.48'	650.96'
6	1150'	22°01'07"	202.47'	404.94'



LAYOUT
 SCALE: 1" = 50'
 ES16

Appendix E. Memorandum of Agreement (MOA)

**MEMORANDUM OF AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING STATE ROUTE 20 CURVE REALIGNMENT PROJECT,
SMARTSVILLE, YUBA AND NEVADA COUNTIES, CALIFORNIA**

WHEREAS, pursuant to §23 U.S.C. 327 the Federal Highway Administration (FHWA), has assigned and the California Department of Transportation (Caltrans) has assumed FHWA responsibility for environmental review, consultation, and coordination; and

WHEREAS, Caltrans has determined that the State Route 20 Curve Realignment Project, (Caltrans Expenditure Authorization 2F590), Smartsville, California (Undertaking) will have an adverse effect on the historic-era component of archaeological site CA-YUB-438/H, which Caltrans has determined in consultation with the California State Historic Preservation Officer (SHPO), to be eligible for inclusion in the National Register of Historic Places (National Register) under Criterion D and is therefore a historic property as defined at 36 CFR §800.16(1)(1); and

WHEREAS, Caltrans has consulted with the SHPO pursuant to Stipulations X.C, and XI of the January 2014 *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (Section 106 PA), and, where the Section 106 PA so directs, in accordance with 36 CFR Part 800, the regulations implementing Section 106 of the National Historic Preservation Act (NHPA) of 1966 (16 USC Section 470f), as amended, regarding the Undertaking's effect on historic properties, and has notified the Advisory Council on Historic Preservation (ACHP) of the adverse effect finding on May 20, 2015 pursuant to Stipulation X.C.3 of the Section 106 PA. 36 CFR §800.6(a)(1), and the ACHP has declined to comment in a letter dated June 29, 2015; and

WHEREAS, Caltrans has thoroughly considered alternatives to the Undertaking, has determined that the statutory and regulatory constraints on the design of the Undertaking preclude the possibility of avoiding adverse effects to the historic-era component of CA-YUB-438/H during the Undertaking's implementation, and has further determined that it will resolve the adverse effect of the Undertaking on the subject historic property through the execution and implementation of this Memorandum of Agreement (MOA); and

WHEREAS, Caltrans has consulted with the Native American community regarding the proposed undertaking and its effects on historic properties. As a result of this consultation, on November 2, 2015 Caltrans invited the United Auburn Indian Community of the Auburn Rancheria to participate as a concurring party in the implementation of this MOA. Caltrans will continue to consult with concerned Native American parties regarding this undertaking, and will afford the these groups and individuals, should they so desire; and

WHEREAS, Caltrans District 3, (District), has participated in the consultation and has been invited to concur in this Agreement; and

NOW, THEREFORE, Caltrans and the SHPO agree that, upon Caltrans' decision to proceed with the Undertaking, Caltrans shall ensure that the Undertaking is implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on CA-YUB-438/H and agrees that these stipulations shall govern the Undertaking and all of its parts until this MOA expires or is terminated.

STIPULATIONS

Caltrans shall ensure that the following stipulations are implemented:

I. AREA OF POTENTIAL EFFECTS

The Undertaking's Area of Potential Effects (APE) is depicted in Appendix B of Attachment A, the March 2015 Draft *Data Recovery Plan for Historic-Era Archaeological Site CA-YUB-438/H, within the Area of Potential Effects for the State Route 20 Curve Correction Project, Smartsville, California; 03-YUB-20 P.M. 20.1/21.7 and 03-NEV-20 PM 0.0-0.1; EA 2F590* (DRP). Attachment A as set forth hereunder may be amended through consultation among the MOA parties without amending the MOA.

II. TREATMENT OF HISTORIC PROPERTIES

- A.** Caltrans shall ensure that the adverse effects of the Undertaking on the historic-era component of archaeological site CA-YUB-438/H, which is eligible for the National Register under Criterion D, are resolved by implementing and completing the May 2015 DRP. A program of data recovery and public interpretation is planned to resolve direct and indirect effects of the Undertaking.
- B.** Any party to this MOA may propose to amend the DRP. Such amendment will not require amendment of this MOA. DRP amendments will be consulted on with the Signatories for no more than thirty (30) days from the date of receipt. Disputes regarding amendments proposed hereunder shall be addressed through further consultation among the MOA parties, and in accordance with Stipulation VI.B of this MOA.
- C.** Caltrans will not authorize the execution of any Undertaking activity that may adversely affect [36 CFR §800.16(i)] historic properties in the Undertaking's APE prior to the completion of the fieldwork that the DRP prescribes.

III. REPORTING REQUIREMENTS AND RELATED REVIEWS

- A.** Within thirty (30) days after Caltrans has determined that all fieldwork required under Stipulation II has been completed, Caltrans will ensure preparation and concurrent distribution to the other MOA parties, of a brief letter report that summarizes the field efforts and the preliminary findings that result from them. MOA parties will have thirty (30) days from the date of receipt to review and comment on the preliminary findings.

Comments will be shared with SHPO prior to finalization of letter report. The finalized letter report will then subsequently be distributed to MOA parties for their records.

- B. Within twelve months after Caltrans has determined that all fieldwork required by Stipulation II.A has been completed, Caltrans will ensure preparation and subsequent concurrent distribution to the other MOA parties, for review and comment, a draft technical report that documents the results of implementing and completing the DRP. The other MOA parties will be afforded forty-five (45) days following receipt of the draft technical report to submit any written comments to Caltrans. Failure of these parties to respond within this time frame shall not preclude Caltrans from authorizing revisions to the draft technical report, as Caltrans may deem appropriate. Caltrans will provide the other MOA parties with written documentation indicating whether and how the draft technical report will be modified in accordance with any comments received from the other MOA parties. Unless any MOA party objects to this documentation in writing to Caltrans within thirty (30) days following receipt of the comments, Caltrans may modify the draft technical report, as Caltrans may deem appropriate. Thereafter, Caltrans may issue the technical report in final form and distribute this document in accordance with paragraph C of this Stipulation.
- C. Copies of the final technical report documenting the results of the DRP implementation, monitoring efforts and any other subsequent documentation will be distributed by Caltrans to the other MOA parties and (as applicable) to the Sacramento North Central Information Center (NCIC) of the California Historical Resources Information System (CHRIS).
- D. In addition to the final reports described within this Stipulation, the District shall provide the parties to this agreement an annual update. Such update shall include any scheduling changes proposed, any problems encountered, failures to adopt proposed mitigation measures, and any disputes and objections received in the District's efforts to carry out the terms of this MOA. The update will be due no later than December 31 of each year, beginning December 31, 2016 and continuing annually thereafter throughout the duration of this MOA.

IV. TREATMENT OF HUMAN REMAINS OF NATIVE AMERICAN ORIGIN

As legally mandated, human remains and related items discovered during the implementation of the terms of this Agreement and the Undertaking will be treated in accordance with the requirements of Health and Safety Code Section 7050.5(b). If pursuant to of Health and Safety Code Section 7050.5(c) the coroner determines that the human remains are or may be those of a Native American, then the discovery shall be treated in accordance with the provisions of Public Resources Code Sections 5097.98 (a)-(d). Caltrans, as the landowner, shall ensure that, to the extent permitted by applicable law and regulation, the view of the Most Likely Descendent(s), as determined by the California Native American Heritage Commission, is taken into consideration when decisions are made about the disposition of Native American human remains and associated objects.

V. DISCOVERIES AND UNANTICIPATED EFFECTS

If Caltrans determines during the implementation of the DRP or during construction of the Undertaking, that either the implementation of the DRP or the Undertaking will affect a previously unidentified property that may be eligible for the National Register, or affect a known historic property in an unanticipated manner, Caltrans will address the discovery or unanticipated effect in accordance with Stipulation XV.B of the Section 106 PA. Caltrans, at its discretion, may hereunder assume any discovered property to be eligible for inclusion in the National Register in accordance with 36 CFR §800.13(c).

VI. ADMINISTRATIVE PROVISIONS

A. STANDARDS

- 1. Definitions.** The definitions provided at 36 CFR §800.16 are applicable throughout this MOA.
- 2. Professional Qualifications.** Caltrans will ensure that only individuals meeting the *Secretary of the Interior's Professional Qualification Standards* (48 FR 44738-39) (PQS) in the relevant field of study carry out or review appropriateness and quality of the actions and products required by Stipulations I, II, III, and VI in this MOA. However, nothing in this stipulation may be interpreted to preclude Caltrans or any agent or contractor thereof from using the properly supervised (under the direct supervision of an individual(s) meeting the PQS) services of persons who do not meet the PQS.
- 3. Documentation Standards.** Written documentation of activities prescribed by Stipulations I, II, III, and VI of this MOA shall conform to *Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation* (48 FR 44716-44740) as well as to applicable standards and guidelines established by the SHPO.
- 4. Curation and Curation Standards.** Caltrans shall ensure that, to the extent permitted under §5097.98 and §5097.991 of the California Public Resources Code, the materials and records resulting from the activities prescribed by this MOA are curated in accordance with 36 CFR §79.

B. CONFIDENTIALITY

The MOA parties acknowledge that the historic property covered by this MOA is subject to the provisions of §304 of the NHPA and §6254.10 of the California Government Code (Public Records Act), relating to the disclosure of archaeological site information and, having so acknowledged, will ensure that all actions and documentation prescribed by this MOA are consistent with said sections.

C. RESOLVING OBJECTIONS

1. Should any party to this MOA object at any time in writing to the manner in which the terms of this MOA are implemented, to any action carried out or proposed with respect to implementation of the MOA (other than the Undertaking itself), or to any documentation prepared in accordance with and subject to the terms of this MOA, Caltrans shall immediately notify the other MOA parties of the objection, request their comments on the objection within fifteen (15) days following receipt of Caltrans' notification, and proceed to consult with the objecting party for no more than thirty (30) days to resolve the objection. Caltrans will honor the request of the other parties to participate in the consultation and will take any comments provided by those parties into account.
2. If the objection is resolved during the thirty-day consultation period, Caltrans may proceed with the disputed action in accordance with the terms of such resolution.
3. If at the end of the thirty-day consultation period, Caltrans determines that the objection cannot be resolved through such consultation, then Caltrans shall forward all documentation relevant to the objection to the ACHP, including Caltrans' proposed response to the objection, with the expectation that the ACHP will, within forty-five (45) days after receipt of such documentation:
 - a. Advise Caltrans that the ACHP concurs in Caltrans' proposed response to the objection, whereupon Caltrans will respond to the objection accordingly. The objection shall thereby be resolved; or
 - b. Provide Caltrans with recommendations, which Caltrans will take into account in reaching a final decision regarding its response to the objection. The objection shall thereby be resolved; or
 - c. Notify Caltrans that the objection will be referred for comment pursuant to 36 CFR §800.7(c) and proceed to refer the objection and comment. Caltrans shall take the resulting comments into account in accordance with 36 CFR §800.7(c)(4) and Section 110(1) of the NHPA. The objection shall thereby be resolved.
4. Should the ACHP not exercise one of the above options within forty-five thirty days (45) days after receipt of all pertinent documentation, Caltrans may proceed to implement their proposed response. The objection shall thereby be resolved.
5. Caltrans shall take into account any of the ACHP's recommendations or comments provided in accordance with this stipulation with reference only to the subject of the objection. Caltrans' responsibility to carry out all actions under this MOA that are not the subject of the objection shall remain unchanged.
6. At any time during implementation of the measures stipulated in this MOA, should a member of the public raise an objection in writing pertaining to such implementation to any signatory party to this MOA, that signatory party shall immediately notify Caltrans.

Caltrans shall immediately notify the other signatory parties in writing of the objection. Any signatory party may choose to comment in writing on the objection to Caltrans. Caltrans shall establish a reasonable time frame for this comment period of not less than fifteen (15) days following receipt of Caltrans notification, unless agreed upon by signatories. Caltrans shall consider the objection, and in reaching its decision, Caltrans will take all comments from the other signatory parties into account. A copy of all comments will be provided to the SHPO before final decision by Caltrans. Within fifteen (15) days following closure of the comment period, Caltrans will render a decision regarding the objection and respond to the objecting party. Caltrans will promptly notify the other signatory parties of its decision in writing, by including a copy of the response to the objecting party. Caltrans' decision regarding resolution of the objection will be final. Following issuance of its final decision, Caltrans may authorize the action subject to dispute hereunder to proceed in accordance with the terms of that decision.

7. Caltrans shall provide all parties to this MOA, and the ACHP, if the ACHP has commented, and any parties that have objected pursuant to section C.6 of this stipulation with a copy of its final written decision regarding any objection addressed pursuant to this stipulation.
8. Caltrans may authorize any action subject to objection under this stipulation to proceed after the objection has been resolved in accordance with the terms of this stipulation.

D. AMENDMENTS

1. Any signatory party to this MOA may propose that this MOA be amended, whereupon all signatory parties shall consult for no more than thirty (30) days to consider such an amendment. The amendment will be effective on the date a copy signed by all of the original signatories is filed with the ACHP. If the signatories cannot agree to appropriate terms to amend the MOA, any signatory may terminate the agreement in accordance with Stipulation VII.E, below.
2. Attachments to this MOA may be amended through consultation as prescribed in Stipulation I or Section D of Stipulation II, as appropriate, without amending the MOA proper.

E. TERMINATION

1. If this MOA is not amended as provided for in Section D of this Stipulation, or if either signatory proposes termination of this MOA for other reasons, the signatory party proposing termination shall, in writing, notify the other MOA parties, explain the reasons for proposing termination, and consult with the other parties for at least thirty (30) days to seek alternatives to termination. Such consultation shall not be required if Caltrans proposes termination because the Undertaking no longer meets the definition set forth in 36 CFR §800.16(y).

2. Should such consultation result in an agreement on an alternative to termination, the signatory parties shall proceed in accordance with the terms of that agreement.
3. Should such consultation fail, the signatory party proposing termination may terminate this MOA by promptly notifying the other MOA parties in writing. Termination hereunder shall render this MOA without further force or effect.
4. If this MOA is terminated hereunder, and if Caltrans determines that the Undertaking will nonetheless proceed, then Caltrans shall comply with the requirements of 36 CFR §800.3-800.6, or request the comments of the ACHP, pursuant to 36 CFR Part 800.7(a).

F. DURATION OF THE MOA

1. Unless terminated pursuant to Section E of this Stipulation, or unless it is superseded by an amended MOA, this MOA will be in effect following execution by the signatory parties until Caltrans, in consultation with the other signatory parties, determines that all of its stipulations have been satisfactorily fulfilled. This MOA will terminate and have no further force or effect on the day that Caltrans notifies the other MOA signatories in writing of its determination that all stipulations of this MOA have been satisfactorily fulfilled and the signatories have concurred.
2. The terms of this MOA shall be satisfactorily fulfilled within five (d) years following the date of execution by the signatory parties. If Caltrans determines that this requirement cannot be met, the MOA parties will consult to reconsider its terms. Reconsideration may include continuation of the MOA as originally executed, amendment of the MOA, or termination. In the event of termination, Caltrans will comply with Section E.4 of this Stipulation if it determines that the Undertaking will proceed notwithstanding termination of this MOA.
3. If the Undertaking has not been implemented within five (5) years following execution of this MOA, this MOA shall automatically terminate and have no further force or effect. In such event, Caltrans shall notify the other signatory parties in writing and, if it chooses to continue with the Undertaking, shall reinitiate review of the Undertaking in accordance with 36 CFR Part 800.

G. EFFECTIVE DATE

This MOA will take effect on the date that it has been executed by Caltrans and the SHPO.

EXECUTION of this MOA by Caltrans and the SHPO, its filing with the ACHP in accordance with 36 CFR §800.6(b)(1)(iv), and subsequent implementation of its terms, shall evidence, pursuant to 36 CFR §800.6(c), that this MOA is an agreement with the ACHP for purposes of Section 110(1) of the NHPA, and shall further evidence that Caltrans has afforded the ACHP an

opportunity to comment on the Undertaking and its effects on historic properties, and that Caltrans has taken into account the effects of the Undertaking on historic properties.

**MEMORANDUM OF AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING STATE ROUTE 20 CURVE REALIGNMENT PROJECT,
SMARTSVILLE, YUBA AND NEVADA COUNTIES, CALIFORNIA**

SIGNATORY PARTIES:

California Department of Transportation

By 
Katrina Pierce, Chief
Division of Environmental Analysis

5 Jan 2016
Date

California State Historic Preservation Officer

By 
Julianne Polanco
State Historic Preservation Officer

1/6/16
Date

**MEMORANDUM OF AGREEMENT
BETWEEN THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE
CALIFORNIA STATE HISTORIC PRESERVATION OFFICER
REGARDING STATE ROUTE 20 CURVE REALIGNMENT PROJECT,
SMARTSVILLE, YUBA AND NEVADA COUNTIES, CALIFORNIA**

CONCURRING PARTIES:

California Department of Transportation

By  1-6-15
Amarjeet S. Benipal, District Director Date
District 3, Marysville

List of Technical Studies

Initial Site Assessment (Hazardous Waste, Caltrans 2015)

Natural Environmental Study (Biology, Caltrans 2015)

Historic Property Survey Report (Archaeology, Caltrans 2015)

Historic Resources Evaluation Report (Architectural History, Caltrans 2015)

Water Quality Assessment Exemption (NPDES, Caltrans 2013)

Noise Assessment (Noise Report, Caltrans 2015)

Air Quality Assessment (Air Quality Report, Caltrans 2015)

Visual Impact Assessment (VIA, Caltrans 2015)