STATE OF CALIFORNIA THE RESOURCES AGENCY
EPARTMENT OF FISH AND GAME
Y DELTA REGION
(707) 944-5520
Mailing address
POST OFFICE BOX 47
YOUNTVILLE CALIFORNIA 94599
Street address
7329 SILVERADO TRAIL
NAPA CALIFORNIA 94558

ARNOLD SCHWARZENEGGER, GOVERNOR

April 22, 2008

Notification Number: 1600-2008-0011-3

Mr. Jeffrey Jensen
California Department of Transportation
111 Grand Ave
Oakland, CA 94623

1602 LAKE AND STREAMBED ALTERATION AGREEMENT

This agreement is issued by the Department of Fish and Game pursuant to Division 2, Chapter 6 of the California Fish and Game Code:

WHEREAS, the Applicant Mr. Jeffrey Jensen submitted a signed NOTIFICATION proposing to substantially divert or obstruct the natural flow of, or substantially change the bed, channel, or bank of, or use material from the streambed or lake of the following water: Lambie Creek, located in unincorporated County of Solano, State of California; and

WHEREAS, the Department has determined that such operations may substantially adversely affect existing fish and wildlife ources including water quality, hydrology, aquatic or terrestrial plant or animal species; and

WHEREAS, the project has undergone the appropriate review under the California Environmental Quality Act; and

WHEREAS, the Applicant shall undertake the project as proposed in the signed PROJECT DESCRIPTION and PROJECT CONDITIONS (attached). If the Applicant changes the project from that described in the PROJECT DESCRIPTION and does not include the PROJECT CONDITIONS, this agreement is no longer valid; and

WHEREAS, the agreement shall expire on December 31, 2012; with the work to occur between June 15 and October 15; and

WHEREAS, nothing in this agreement authorizes the Applicant to trespass on any land or property, nor does it relieve the Applicant of the responsibility for compliance with applicable Federal, State, or local laws or ordinances. Placement, or removal, of any material below the level of ordinary high water may come under the jurisdiction of the U. S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act;

THEREFORE, the Applicant may proceed with the project as described in the PROJECT DESCRIPTION and PROJECT CONDITIONS. A copy of this agreement, with attached PROJECT DESCRIPTION and PROJECT CONDITIONS, shall be provided to contractors and subcontractors and shall be in their possession at the work site.

Failure to comply with all conditions of this agreement may result in legal action.

This agreement is approved by:

Charles Armor
ional Manager
Bay Delta Region

cc: Melissa Escaron
Lieutenant Mason

STATE OF CALIFORNIA THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
BAY DELTA REGION
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Notification Number: 1600-2008-0011-3
Lambie Creek, Solano County
Caltrans EAs OT0900 & OT1010

California Department of Transportation
Attn: Mr. Jeffrey Jensen
111 Grand Ave
Oakland, CA 94623

PROJECT DESCRIPTION and PROJECT CONDITIONS

Description

Solano State Route 12 (SR12) is a two-lane conventional highway with passing lanes that serves as the major east-west corridor between Napa, Sonoma, and Solano counties and the San Joaquin Valley, California. Caltrans (the Applicant), in conjunction with the FHWA, is proposing safety and operational improvements along a portion of SR 12 in Solano County, from .68 mile east of Walters Road (Post Mile(PM) 7.9) to the intersection with Currie Road (PM 20.6). The Solano 12 Roadway Rehabilitation and Safety Improvements Project (the Project) is the second of two projects to rehabilitate this portion of SR 12, bring the highway up to current design standards, and improve safety. The proposed action consists of the widening of major intersections, upgrading bridge railings, drainage modifications, adding paved shoulders, and correcting vertical and horizontal alignment to improve sight distance and eliminate blind curves and hills. Many sections of the highway do not have paved shoulders and the highway is in need of repaving.

This Agreement only covers work to be performed within the Department's jurisdiction at Lambie Creek. The work proposed at Lambie Creek consists of realigning the existing roadway to the north. To avoid impacts to vernal pool habitat, the new roadway footprint will be minimized through the construction of two retaining walls in the upland areas of the steam

corridor. A new 12-foot concrete box culvert (42.2 cubic meters), geotextile fabric (998.4 square meters) and RSP (38 cubic meters) will be installed. The new box culvert will be partially buried with salvaged native streambed material to allow establishment of a natural substrate. Approximately .037 acres (147 linear feet) of stream channel will be temporarily affected and approximately .006 acres (26 linear feet) will be permanently affected by the project.

The existing roadway and the concrete culvert that conducts Lambic Creek under the roadway will be excavated and the pre-existing grassland and streambed features will be restored. Approximately 53 linear feet (.0163 acres) of creek channel will be restored using gradations of river rock cobbles to serve as a base for a natural streambed. Restored upland areas will be reseeded with native grassland seed mix. The proposed mitigation is more than double the amount of streambed and bank habitat permanently lost as a result of the proposed project (26 linear feet, .006 acres).

The proposed work will be completed with the use of backhoes, excavators, graders, bulldozers, tracked vehicles, and material delivery trucks.

Due to this Project's accelerated schedule, site access could not be provided to Department staff for proper analysis. As a result, the Department agreed (via email from Scott Wilson to James Richards, 4/1/08) to issue this Agreement with the understanding that the Department has complete discretion to add and/or change conditions and mitigation measures once site access is provided to Department staff.

Impacts

Approximately .037 acres (147 linear feet) of streambeds and banks will be temporarily impacted as a result of construction access and construction activities.

Approximately 26 linear feet (.006 acres) of streambed and bank will be permanently impacted by the construction of the new roadway alignment.

Mitigation

Approximately .037 acres (147 linear feet) of temporarily impacted streambeds and banks will be restored to pre-existing conditions through regrading, reseeding, and installation of erosion and sedimentation control devices.

To mitigate for permanent impacts resulting from the new roadway crossing at Lambie Creek, the

Applicant shall excavate the existing roadway and concrete box culvert and restore the site to pre-existing stream and upland conditions at a 2:1 ratio. Approximately 53 linear feet (.0163 acres) of creek channel will be restored using appropriate gradations of river rock cobbles to serve as a base for a natural streambed. Restored upland areas will be regraded to conform to the native contours, reseeded with native grassland seed mix and protected with erosion/sedimentation control devices.

Conditions

1. The Department has complete authorization and discretion to add and/or change conditions and mitigation measures once site access is provided to Department staff.

2. To mitigate for the impacts at Lambie Creek, the Applicant shall excavate the existing roadway and concrete box culvert and restore the site to pre-existing stream and upland conditions at a 2:1 ratio. Approximately 53 linear feet (.0163 acres) of creek channel will be restored using appropriate gradations of river rock cobbles to serve as a base for a natural streambed. Restored upland areas will be regraded to conform to the native contours, reseeded with native grassland seed mix and protected with erosion/sedimentation control devices.

3. Work within the stream/riparian corridor shall be confined to the period of June 15 to October 15. Revegetation work is not confined to this time period but must be completed in the same calendar year.

4. Prior to commencement of work within the stream zone, the Applicant shall photograph the project site. Upon completion of work activities, the Applicant shall photograph the project site. Labeled copies of photographs shall be sent to the Department of Fish and Game within 5 days of completion of the project. Notification of work commencement shall be sent to the Department at P.O. Box 47, Yountville, CA 94599. Refer to Notification 1600-2008-0011-3 when notifying the Department.

5. Equipment shall not be operated in wetted areas (including but not limited to ponded, flowing, or wetland areas).

6. The work period for completing the work within the stream zone, shall be restricted to periods of low or no stream flow and dry weather. Excavation for and placement of fill shall not begin unless a no precipitation forecast is obtained covering the entire construction phase (within the area covered in this Agreement) and the time necessary to implement erosion control measures.

This forecast shall be documented upon request by the Department.

7. No phase of the project may be started if that phase and its associated erosion control measures cannot be completed prior to the onset of precipitation if that construction phase may cause the introduction of sediments into the stream. After any storm event, the Applicant shall inspect all sites currently under construction and all sites scheduled to begin construction within the next 72 hours for erosion and sedimentation problems and take corrective action as needed. Seventy-two-hour weather forecasts from the National Weather Service shall be consulted prior to start up of any phase of the project that may result in sediment runoff to the stream, and construction plans made to meet this condition.

8. All construction activity shall terminate at any site that has surface runoff until runoff ceases and no further storms are forecast for the following 24-hour period.

9. Staging and storage areas for equipment, materials, fuels, lubricants and solvents, shall be located outside of the stream channel and banks, avoiding areas of concentrated ground squirrel burrows. Stationary equipment such as motors, pumps, generators, compressors and welders, located within or adjacent to the stream shall be positioned over drip-pans. Any equipment or vehicles driven and/or operated within or adjacent to the stream must be checked and maintained daily, to prevent leaks of materials that if introduced to water could be deleterious to aquatic life.

10. No fueling, cleaning, or maintenance of vehicles or equipment shall take place within any areas where an accidental discharge to a watercourse may occur, vehicles must be moved away from the stream prior to refueling and lubrication.

11. Erosion control measures shall be utilized throughout all phases of operation where sediment runoff from exposed slopes threatens to enter waterways. At no time shall silt laden runoff be allowed to enter the stream or directed to where it may enter the stream. Only clean rocks and boulders shall be used for the project. Erosion control structures shall be monitored for effectiveness and shall be repaired or replaced as needed. Build up of soil behind the fence shall be removed promptly and any breaches or undermined areas repaired at once.

12. When work in a flowing stream is unavoidable, the entire stream flow shall be diverted around or through the work area during the excavation and/or construction operations. Stream flow shall be diverted using gravity flow through temporary culverts/pipes or pumped around the work site with the use of hoses. Any temporary dam or other artificial obstruction constructed shall only be built from materials such as sandbags or clean gravel which will cause little or no siltation. No other diversion method shall be use without authorization of the Department. If

another diversion method is preferred, the operator must submit a plan detailing the desired diversion method for review and approval 30 days prior to the proposed diversion. Normal flows will be restored to the affected stream immediately upon completion of work at that location.

13. All exposed/disturbed areas and access points within the stream zone left barren of vegetation as a result of the construction activities shall be restored by seeding with a blend native and non-native erosion control grass seeds. Seeded areas shall be mulched. All other areas of disturbed soil which drain toward the stream channel shall be seeded with erosion control grass seeds. Revegetation shall be completed as soon as possible after construction activities in those areas cease. Seeding placed after October 15 must be covered with broadcast straw, jute netting, coconut fiber blanket or similar erosion control blanket. Erosion control with monofilament shall not be used.

14. Streambank areas receiving rock slope protection (rip rap) shall be back-filled with appropriate topsoil. The topsoil fill should be placed to fill the voids in the rock slope protection and provide a substrate for revegetation efforts. Only clean rocks and boulders shall be used.

15. Rip rap will be set below grade and keyed into the bank. Rip rap rock shall be of the proper size and weight to withstand high flows.

16. Building materials and/or construction equipment shall not be stockpiled or stored where they could be washed into the water or where they will cover aquatic or riparian vegetation.

17. Debris, soil, silt, bark, rubbish, creosote-treated wood, raw cement/concrete or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous to aquatic life, resulting from project related activities, shall be prevented from contaminating the soil and/or entering the stream. Any of these materials, placed within or where they may enter a stream or lake, by the Applicant or any party working under contract, or with the permission of the Applicant, shall be removed immediately.

18. The contractor shall not dump any litter or construction debris within the riparian/stream zone. All such debris and waste shall be picked up daily and properly disposed of at an appropriate site.

19. This agreement does not authorize the take of any state or federally listed species. Liability for any take or incidental take of such listed species remains the responsibility of the Applicant for the duration of the project. Any unauthorized take of such listed species may result in

prosecution and nullification of the agreement.

20. Prior to the beginning of any excavation, clearing or staging in or near the riparian area, a focused survey of all potentially suitable California tiger salamander (CTS) habitat shall be conducted 14 days prior to instream construction or disturbance of riparian areas. In the event that a CTS is observed in the area, work in the riparian area shall be halted and the USFWS shall be contacted to determine appropriate actions. Results of pre-construction surveys shall be reported to the Department.

21. If earthwork, clearing and grubbing, or vegetation trimming is scheduled during bird nesting season, February 15 and August 15, pre-construction surveys shall be conducted by a qualified biologist for active bird nests. The surveys shall take place within 3 days prior to the commencement of work. If nesting birds are found a 50-foot radius buffer should be established around the nest, a 300-foot radius buffer in the case of hawks or owls. If a lapse in project-related work of 15 days or longer occurs, another survey will be required before project work can be reinitiated. Bat surveys shall be conducted prior to construction. If bats are found contact Melissa Escaron at (707)944-5577.

22. A qualified biologist shall conduct a preconstruction survey for burrowing owls within 30 days of site disturbance, per the Burrowing Owl Consortium Guidelines. If nesting sites are found they should be fenced and no work shall occur within 300 feet of the nest until the young have fledged, as determined by a qualified biologist. If a lapse in project-related work of 15 days or longer occurs, another focused survey and consultation with the Department will be required before project work can be reinitiated. If it is necessary to evict owls from burrows outside of the nesting season, then the Applicant will submit a mitigation plan for approval by the Department prior to burrow disturbance.

23. Existing culverts shall be inspected for wildlife prior to adjacent/nearby construction. If any wildlife is encountered during the course of the inspection, said wildlife shall be allowed to leave the area unharmed, and shall be flushed, hazed, or herded in a safe direction away from the project site. This condition does not allow for the take or disturbance of any state or federally listed species, or state listed species of special concern.

24. If any sensitive species are observed in project surveys, the Applicant shall submit California Natural Diversity Data Base (CNDDB) forms to the CNDDB for all preconstruction survey data within five working days of the sightings, and provide DFG Region 3 with copies of the CNDDB forms and survey maps.

25. To the extent that any provisions of this Agreement provide for activities that require the Applicant to traverse another owner's property, such provisions are agreed to with the understanding that the Applicant possesses the legal right to so traverse. In the absence of such right, any such provision is void.

26. In the event that the project scope, nature, or environmental impact is altered by the imposition of subsequent permit conditions by any local, state or federal regulatory authority, the Applicant shall notify the Department of any imposed project modifications that interfere with compliance to Department conditions.

If the Applicant needs more time to complete the authorized activity, the work period may be extended on a day-to-day basis by contacting Melissa Escaron at (707) 944-5577 or the Yountville office at (707) 944-5520.

A copy of this Agreement must be provided to the contractor and all subcontractors who work within the stream zone and must be in their possession at the work site.

Department personnel or its agents may inspect the work site at any time.

The Applicant is liable for compliance with the terms of this Agreement, including violations committed by the contractors and/or subcontractors. The Department reserves the right to suspend construction activity described in this Agreement if the Department determines any of the following has occurred:

A). Failure to comply with any of the conditions of this Agreement

B). Information provided in support of the Agreement is determined by the Department to be inaccurate.

C). Information becomes available to the Department that was not known when preparing the original conditions of this Agreement (including, but not limited to, the occurrence of state or federally listed species in the area or risk to resources not previously observed)

D).The project as described in the Agreement has changed or conditions affecting fish and wildlife resources change.

Any violation of the terms of this Agreement may result in the project being stopped, a citation being issued, or charges being filed with the District Attorney. Contractors and subcontractors may also be liable for violating the conditions of this agreement.

Amendments and Extensions

The Applicant shall notify the Department before any modifications are made in the project plans

submitted to the Department. Project modifications may require an amendment or a new notification.

This Agreement is transferable to subsequent owners of the project property by requesting an amendment.

To extend the Agreement beyond the expiration date, a written request or completed "Request to Extend Lake or Streambed Alteration Agreement" form, with an appropriate fee, must be submitted to the Department (1600 Program, Post Office Box 47, Yountville, California 94599) for consideration at least 30 days before the Agreement expiration date. An extension requires a fee. The Fee Schedule and Extension form can be obtained at HYPERLINK "http://www.dfg.ca.gov/habcon/1600/Forms.html" www.dfg.ca.gov/habcon/1600/Forms.html or by phone at (707) 944-5520. Extensions of the original Agreement are issued at the discretion of the Department.

To modify the project, a written request for an amendment or a completed "Request to Amend Lake or Streambed Alteration Agreement" form, with an appropriate fee, must be submitted to the Department (1600 Program, Post Office Box 47, Yountville, California 94599). An amendment requires a fee. The Fee Schedule and Amendment form can be obtained at HYPERLINK "http://www.dfg.ca.gov/habcon/1600/Forms.html" www.dfg.ca.gov/habcon/1600/Forms.html or by phone at (707) 944-5520. Amendments to the original Agreement are issued at the discretion of the Department.tc \l2 "To modify the project, a written request for an amendment must be submitted to the Department (1600 Program, Post Office Box 47, Yountville, California 94599). The fee for an amendment is one-half (½) of the original fee. Amendments to the original Agreement are issued at the discretion of the Department.

Please note that you may not proceed with construction until your proposed project has undergone CEQA review and the Department signs the Agreement.

I, the undersigned, state that the above is the final description of the project I am submitting to the Department for CEQA review, leading to an Agreement, and agree to implement the conditions above required by the Department as part of that project. I will not proceed with this project until the Department signs the Agreement. I also understand that the CEQA review may result in the addition of measures to the project to avoid, minimize, or compensate for significant environmental impacts:

Applicant's Initials [illegible] per Jeff Jensen

Applicant's name (print): JEFFREY JENSEN

Applicant's signature: SIGNED FOR

Signed the 21ST day of APRIL, 2008

FOR DEPARTMENT USE ONLY				
Date Received	Amount Received	Amount Due	Date Complete	Notification No.
1/18/08	$4,000.00			1600-2008-0011-3

082-219241 DEPT. OF TRANS. ESCARON

STATE OF CALIFORNIA

DEPARTMENT OF FISH AND GAME LT. MASON

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

Complete EACH field, unless otherwise indicated, following the enclosed instructions and submit ALL required enclosures. Attach additional pages, if necessary.

1. APPLICANT PROPOSING PROJECT

Name	Jeffrey G. Jensen, Office Chief, Office of Biological Sciences and Permits		
Business/Agency	California Department of Transportation (Caltrans) District 4		
Street Address	111 Grand Ave.		
City, State, Zip	Oakland CA 94623		
Telephone	(510) 622-8729	Fax	(510) 286-6374
Email	jeffrey.jensen@dot.ca.gov		

2. CONTACT PERSON (*Complete only if different from applicant*)

Name	Christopher Stales, Senior Biologist, Office of Biological Sciences and Permits		
Street Address	111 Grand Ave.		
City, State, Zip	Oakland CA 94623		
Telephone	(510) 286-7185	Fax	(510) 286-6374
Email			

3. PROPERTY OWNER (*Complete only if different from applicant*)

Name			
Street Address			
City, State, Zip			
Telephone		Fax	
Email			

4. PROJECT NAME AND AGREEMENT TERM

A. Project Name	SR Roadway Rehabilitation Project, Lambie Creek, Solano County, California
B. Agreement Term Requested	☑ Regular (*5 years or less*) ☐ Long-term (*greater than 5 years*)

C. Project Term		D. Seasonal Work Period		E. Number of Work Days
Beginning (*year*)	Ending (*year*)	Start Date (*month/day*)	End Date (*month/day*)	
2008	2009	06/15	10/15	185.00

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. AGREEMENT TYPE

Check the applicable box. If box B, C, D, or E is checked, complete the specified attachment.

A.	☑ Standard *(Most construction projects, excluding the categories listed below)*	
B.	☐ Gravel/Sand/Rock Extraction *(Attachment A)*	*Mine I.D. Number:* _____
C.	☐ Timber Harvesting *(Attachment B)*	*THP Number:* _____
D.	☐ Water Diversion/Extraction/Impoundment *(Attachment C)*	*SWRCB Number:* _____
E.	☐ Routine Maintenance *(Attachment D)*	
F.	☐ DFG Fisheries Restoration Grant Program (FRGP)	*FRGP Contract Number:* _____
G.	☐ Master	
H.	☐ Master Timber Harvesting	

6. FEES

Please see the current fee schedule to determine the appropriate notification fee. Itemize each project's estimated cost and corresponding fee. *Note: The Department may not process this notification until the correct fee has been received.*

	A. Project	B. Project Cost	C. Project Fee
1	State Route 12/Lambie Creek Crossing Project	$1,500,000.00	$4,000.00
2			
3			
4			
5			
		D. Base Fee *(If applicable)*	$0.00
		E. TOTAL FEE ENCLOSED	$4,000.00

7. PRIOR NOTIFICATION OR ORDER

A. Has a notification previously been submitted to, or a Lake or Streambed Alteration Agreement previously been issued by, the Department for the project described in this notification?

☐ Yes *(Provide the information below)* ☑ No

Applicant: _____ Notification Number: _____ Date: _____

B. Is this notification being submitted in response to an order, notice, or other directive ("order") by a court or administrative agency (including the Department)?

☑ No ☐ Yes *(Enclose a copy of the order, notice, or other directive. If the directive is not in writing, identify the person who directed the applicant to submit this notification and the agency he or she represents, and describe the circumstances relating to the order.)*

☐ *Continued on additional page(s)*

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

5. PROJECT LOCATION

A. Address or description of project location.

(Include a map that marks the location of the project with a reference to the nearest city or town, and provide driving directions from a major road or highway)

The Lambie Creek Roadway Crossing Project is located in Solano County, California approximately 3 miles southeast the SR 12/Lambie Road-Shiloh Road intersection. A map showing the project location is attached to this application (Attachment 1).

☑ *Continued on additional page(s)*

B. River, stream, or lake affected by the project.	Lambie Creek (ephemeral)
C. What water body is the river, stream, or lake tributary to?	Denverton Slough to Ulliis Honker Bay/Suisun Bay
D. Is the river or stream segment affected by the project listed in the state or federal Wild and Scenic Rivers Acts?	☐ Yes ☑ No ☐ Unknown
E. County	Solano

F. USGS 7.5 Minute Quad Map Name	G. Township	H. Range	I. Section	J. ¼ Section
Denverton Quad	4N	1E	5	SE

☐ *Continued on additional page(s)*

K. Meridian (*check one*) ☐ Humboldt ☑ Mt. Diablo ☐ San Bernardino

L. Assessor's Parcel Number(s)

APN 0048-02-53-5000

☐ *Continued on additional page(s)*

M. Coordinates (*If available, provide at least latitude/longitude or UTM coordinates and check appropriate boxes*)

	Latitude:	*Longitude:*	
Latitude/Longitude	☐ Degrees/Minutes/Seconds	☐ Decimal Degrees	☐ Decimal Minutes
UTM	*Easting:* 597632	*Northing:* 4200998	☑ Zone 10 ☐ Zone 11
Datum used for Latitude/Longitude or UTM	☑ NAD 27	☐ NAD 83 or WGS 84	

NOTIFICATION OF LAKE OR STREAMBED ALTERATION

9. PROJECT CATEGORY AND WORK TYPE *(Check each box that applies)*

PROJECT CATEGORY	NEW CONSTRUCTION	REPLACE EXISTING STRUCTURE	REPAIR/MAINTAIN EXISTING STRUCTURE
Bank stabilization – bioengineering/recontouring	☐	☐	☐
Bank stabilization – rip-rap/retaining wall/gabion	☐	☐	☐
Boat dock/pier	☐	☐	☐
Boat ramp	☐	☐	☐
Bridge	☐	☐	☐
Channel clearing/vegetation management	☐	☐	☐
Culvert	☑	☐	☐
Debris basin	☐	☐	☐
Dam	☐	☐	☐
Diversion structure – weir or pump intake	☐	☐	☐
Filling of wetland, river, stream, or lake	☑	☐	☐
Geotechnical survey	☐	☐	☐
Habitat enhancement – revegetation/mitigation	☐	☐	☐
Levee	☐	☐	☐
Low water crossing	☐	☐	☐
Road/trail	☑	☐	☐
Sediment removal – pond, stream, or marina	☐	☐	☐
Storm drain outfall structure	☐	☐	☐
Temporary stream crossing	☐	☐	☐
Utility crossing : Horizontal Directional Drilling	☐	☐	☐
Jack/bore	☐	☐	☐
Open trench	☐	☐	☐
Other *(specify)*:	☐	☐	☐

10. PROJECT DESCRIPTION

A. Describe the project in detail. Photographs of the project location and immediate surrounding area should be included.

- Include any structures (e.g., rip-rap, culverts, or channel clearing) that will be placed, built, or completed in or near the stream, river, or lake.
- Specify the type and volume of materials that will be used.
- If water will be diverted or drafted, specify the purpose or use.

Enclose diagrams, drawings, plans, and/or maps that provide all of the following: site specific construction details; the dimensions of each structure and/or extent of each activity in the bed, channel, bank or floodplain; an overview of the entire project area (i.e., "bird's-eye view") showing the location of each structure and/or activity, significant area features, and where the equipment/machinery will enter and exit the project area.

The Lambie Creek Project is part of the larger Solano 12 Roadway rehabilitation Project. Caltrans proposes to realign State Rote (SR) 12 immediately north of the existing SR12/Lambie Creek crossing. All proposed project project work will occur within existing and proposed Caltrans right of way. The project would install a new concrete box culvert with rock slope protection, two retaining walls, and a new asphalt roadway. New materials placed within Lambie Creek will include a new concrete culvert (42.2 cubic meters), geo-textile fabric (98.4 square meters), and rock slope protection (38 cubic meters). All quantities are approximate. The new retaining walls will be installed in upland habitat only. Equipment/machinery access to the Lambie Creek project site will occur through upland areas from the existing SR 12 roadway within Caltrans existing and proposed right of way.

Representative photographs of the project area are attached to this application as Attachment 2. Construction drawings (plan and profile views) of the new drainage structures are attached as Attachment 2. See Attachment 1 for a "birds-eye view" of the project site.

☑ *Continued on additional page(s)*

B. Specify the equipment and machinery that will be used to complete the project.

Typical construction equipment in the roadway realignment and retaining wall areas would include excavators, backhoes, graders,bulldozers and/or bobcats to prepare the new alignment grade and footings of the retaining wall, tracked vehicles to work on cut and fill slopes, material delivery trucks for pouring concrete at the retaining wall and box culvert.

☐ *Continued on additional page(s)*

C. Will water be present during the proposed work period (specified in box 4.D) in the stream, river, or lake (specified in box 8.B).	☐ Yes ☑ *No (Skip to box 11)*
D. Will the proposed project require work in the wetted portion of the channel?	☐ Yes *(Enclose a plan to divert water around work site)* ☐ No

11. PROJECT IMPACTS

A. Describe impacts to the bed, channel, and bank of the river, stream, or lake, and the associated riparian habitat. Specify the dimensions of the modifications in length (linear feet) and area (square feet or acres) and the type and volume of material (cubic yards) that will be moved, displaced, or otherwise disturbed, if applicable.

Caltrans will enter Lamble Creek to install the new culvert and rock slope protection (RSP). The bed and banks will be excavated and/or contoured as necessary and the new culvert will be partially buried with salvaged native streambed material. Additional footings will be installed for the RSP and fabric. Approximately .037 acres (147 linear ft) of stream channel will be temporarily affected and approximately .006 acres (26 linear ft) will be permanently affected by the project.

☐ *Continued on additional page(s)*

B. Will the project affect any vegetation? ☑ Yes *(Complete the tables below)* ☐ No

Vegetation Type	Temporary Impact	Permanent Impact
Non-native grassland (grazed)	Linear feet: 147 Total area: 0.037	Linear feet: 26 Total area: 0.006
No riparian habitat exists.	Linear feet: Total area:	Linear feet: Total area:

Tree Species	Number of Trees to be Removed	Trunk Diameter (range)
none exist		

☐ *Continued on additional page(s)*

C. Are any special status animal or plant species, or habitat that could support such species, known to be present on or near the project site?

☑ Yes *(List each species and/or describe the habitat below)* ☐ No ☐ Unknown

California tiger salamander, vernal pool fairy shrimp, vernal pool tadpole shrimp, Delta green ground beetle, Contra Costa goldfields.

☐ *Continued on additional page(s)*

D. Identify the source(s) of information that supports a "yes" or "no" answer above in Box 11.C.

Field surveys and analysis as part of Section 7 Consultation with the USFWS. Applicable documents include a Biological Opinion attached to this application (Attachment 3).

☐ *Continued on additional page(s)*

E. Has a biological study been completed for the project site?

☑ Yes *(Enclose the biological study)* ☐ No

Note: A biological assessment or study may be required to evaluate potential project impacts on biological resources.

F. Has a hydrological study been completed for the project or project site?

☐ Yes *(Enclose the hydrological study)* ☑ No

Note: A hydrological study or other information on site hydrologic (e.g., flows, channel characteristics, and/or flood recurrence intervals) may be required to evaluate potential project impacts on hydrology.

12. MEASURES TO PROTECT FISH, WILDLIFE, AND PLANT RESOURCES

A. Describe the techniques that will be used to prevent sediment from entering watercourses during and after construction.

Standard Caltrans best management practices (BMPs) will be implemented during project construction to prevent unnecessary sediment transport into Lambie Creek. In addition, project work will occur during the summer dry season when rain is less likely to occur. During post-construction activities, Caltrans will recontour work areas to match adjoining grades, reseed disturbed soil areas with native grass species, and install erosion/sedimentation control devices as necessary (e.g., straw rolls, silt fence, fiber blankets, etc.).

☐ *Continued on additional page(s)*

B. Describe project avoidance and/or minimization measures to protect fish, wildlife, and plant resources.

Caltrans minimized the overall footprint of the project by incorporating two retaining walls into the project design. As opposed to a standard 4:1 graded slope, the retaining walls will support a new alignment that will be narrower than the existing creek crossing. The retaining walls will allow avoidance of nearby vernal pool habitat. In addition, Caltrans proposes an oversized box culvert to further minimize project effects on the Lambie Creek watershed. Both the larger culvert (12-ft) and new retaining walls will greatly reduce impacts to the creek and surrounding wetland areas. The new culvert will be partially buried to allow the establishment of a natural creek bottom. Caltrans will also comply with conditions of the FWS BO protecting listed species.

☐ *Continued on additional page(s)*

C. Describe any project mitigation and/or compensation measures to protect fish, wildlife, and plant resources.

Caltrans proposes to remove the existing SR 12 creek crossing and restore this portion of Lambie Creek (bank to bank) to it's natural state. Approximately 53 linear feet (0.0163 acres) of creek channel will be restored using a gradation of river rock cobbles to serve as a base for a natural streambed. Restored upland areas will be reseeded with a native grassland seed mix. This is proposed mitigation is more than double the amount (e.g., 2:1) of streambed habitat permanently lost as a result of the proposed project (project impacts = 26 linear feet, 0.006 acres).

☐ *Continued on additional page(s)*

13. PERMITS

List any local, state, and federal permits required for the project and check the corresponding box(es). Enclose a copy of each permit that has been issued.

A.	U.S. Army Corps of Engineers, Nation Wide Permit	☑ Applied	☐ Issued
B.	RWQCB Section 401 Water Quality Certification	☑ Applied	☐ Issued
C.	USFWS Biological Opinion	☐ Applied	☑ Issued

Unknown whether ☐ local, ☐ state, or ☐ federal permit is needed for the project. *(Check each box that applies)*

☐ *Continued on additional page(s)*

14. ENVIRONMENTAL REVIEW

A. Has a draft or final document been prepared for the project pursuant to the California Environmental Quality Act (CEQA), National Environmental Protection Act (NEPA), California Endangered Species Act (CESA) and/or Federal Endangered Species Act (ESA)?

☑ Yes *(Check the box for each CEQA, NEPA, CESA, and ESA document that has been prepared and enclose a copy of each)*

☐ No *(Check the box for each CEQA, NEPA, CESA, and ESA document listed below that will be or is being prepared)*

☐ Notice of Exemption	☐ Mitigated Negative Declaration	☑ NEPA document *(type)*: Categorical Excl.
☐ Initial Study	☐ Environmental Impact Report	☐ CESA document *(type)*:
☑ Negative Declaration	☑ Notice of Determination *(Enclose)*	☑ ESA document *(type)*: USFWS BO
☐ THP/ NTMP	☐ Mitigation, Monitoring, Reporting Plan	

B. State Clearinghouse Number *(If applicable)*	2004032004		
C. Has a CEQA lead agency been determined?	☑ Yes *(Complete boxes D, E, and F)*	☐ No *(Skip to box 14.G)*	
D. CEQA Lead Agency	Caltrans		
E. Contact Person	Howell Chan	F. Telephone Number	(510) 286-5623

G. If the project described in this notification is part of a larger project or plan, briefly describe that larger project or plan.

Lambie Creek Project is part of a larger SR 12 Roadway Rehabilitation Project. The larger project is located along SR 12 from 0.068 miles east of Walters Road near Suisun City to the intersection with Currie Road (post-miles 7.9 to 20.6). The stretch of SR 12 proposed for improvements is a roadway with standard (12-foot wide) lanes, but substandard (less than 8-foot wide) shoulders. Caltrans has determined that this portion of the roadway should be widened and realigned to reduce the possibility of traffic accidents. The overall project includes the following activities: 1) road widening and realignment; 2) intersection improvements & widening; 3) culvert replacements and upgrades.

☐ *Continued on additional page(s)*

H. Has an environmental filing fee (Fish and Game Code section 711.4) been paid?

☑ Yes *(Enclose proof of payment)* ☐ No *(Briefly explain below the reason a filing fee has not been paid)*

Note: If a filing fee is required, the Department may not finalize a Lake or Streambed Alteration Agreement until the filing fee is paid.

15. SITE INSPECTION

Check one box only.

☐ In the event the Department determines that a site inspection is necessary, I hereby authorize a Department representative to enter the property where the project described in this notification will take place at any reasonable time, and hereby certify that I am authorized to grant the Department such entry.

☑ I request the Department to first contact *(insert name)* Christopher Stokes, Senior Biologist at *(insert telephone number)* (510) 286-7185 to schedule a date and time to enter the property where the project described in this notification will take place. I understand that this may delay the Department's determination as to whether a Lake or Streambed Alteration Agreement is required and/or the Department's issuance of a draft agreement pursuant to this notification.

CATEGORICAL EXEMPTION
CATEGORICAL EXCLUSION/PROGRAMMATIC CATEGORICAL EXCLUSION
DETERMINATION FORM

Revised 11/2005

04-SOL-12	KP 12.7 / 33.2 (PM 7.9/ 20.6)	0T0900/0T1010	[CLICK HERE]
Dist.-Co.-Rte. (or Local Agency)	K.P./K.P.(P.M./P.M.)	E.A.	Proj. No. (Local project) (Fed.Prog. Prefix Proj. No., Agr. No.)

PROJECT DESCRIPTION: (Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)

State Route 12 Roadway Rehabilitation Project. See Project Desrciption, below

CEQA COMPLIANCE *(for State Projects only)*

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION

☐ **Exempt by Statute** [PRC 21080(b); 14CCR 15260 et seq.]
Based on an examination of this proposal, supporting information, and the above statements, the project is:
☐ **Categorically Exempt.** Class , (PRC 21084; 14 CCR 15300 et seq.) or ☐ **General Rule exemption** [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061(b)(3))]

Signature: Environmental Office Chief	Date	Signature: Project Manager	Date

NEPA COMPLIANCE (23 CFR 771.117)

Based on an examination of this proposal, supporting information, and the following statements:

- This project does not have a significant impact on the environment as defined by the NEPA.
- This project does not involve substantial controversy on environmental grounds.
- This project does not involve significant impacts on properties protected by Section 4(f) of the DOT Act or Section 106 of the National Historic Preservation Act.
- In nonattainment or maintenance areas for Federal air quality standards: this project comes from a currently conforming plan and Transportation Improvement Program or is exempt form regional conformity.
- This project is consistent with all Federal, State, & local laws, requirements or administrative determinations relating to the environmental aspects of this action.

NEPA DETERMINATION

Based on an examination of this proposal, supporting information, and the statements above under "NEPA Compliance", it is determined that the project is a:

☐ **PROGRAMMATIC CATEGORICAL EXCLUSION (PCE):** Based on the evaluation of this project and supporting documentation in the project files, all the conditions of the November 18, 2003 Programmatic Categorical Exclusion Agreement have been met.

☒ **CATEGORICAL EXCLUSION (CE):** For actions that do not individually or cumulatively have a significant environmental effect and are excluded from the requirement to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS). Requires FHWA Determination.

Melanie Brunt	11/30/06		12/12/06
Signature: Environmental Office Chief	Date	Signature: Project Manager/DLA Engineer	Date

FHWA DETERMINATION

Based on the evaluation of this project and the statements above, it is determined that the project meets the criteria of and is properly classified as a Categorical Exclusion.

	12/14/2006
Signature: FHWA Transportation Engineer	Date

☒ Additional information attached or referenced, as appropriate (e.g. Mitigation commitments for NEPA only; Air Quality studies or documentation of exemption from regional conformity or use of CO Protocol; §106 commitments; §4(f) or Programmatic §4(f); date of COE nationwide permit; § 7 species survey results; Wetlands Finding; Floodplain Finding; additional studies; design conditions. Rev. 11/2005

Received
DEC 13 2006
FHWA