

Appendix H

Environmental Commitments Record

SUMMARY OF REQUIRED PERMITS AND ENVIRONMENTAL COMMITMENT -PS&E PHASE

TO: _____
 ATTN: _____
 DESIGN OFFICE

PROJECT MANAGER:
 PROJECT ENGINEER:

DATE: 07/12/2011
 CO. RTE. KP: ALA-80 (PM 1.99-8.04)/CC-80 PM 0.0-13.49
 EA 3A7720
 I-80 ICM PROJECT

Below is a summary of the required permits, and environmental commitments that must be incorporated into the PS&E, for this project. Please contact _____@_____ for further information.

		Ref.	NSSP Y/N	Responsible Staff	Timing	Action Taken	Date
PERMITS AND AGREEMENTS	BCDC Coastal Development Permit	ED					
	USFWS Letter of Concurrence	ED					
	Paleontological Resources						
MITIGATION	<p>Mitigation Measure PAL-1: Prior to the start of construction, a qualified paleontologist shall be retained to conduct a field survey of the project ROW to identify exposures of sensitive stratigraphic units that may be disturbed during project construction. A Paleontological Evaluation Report (PER) shall be prepared to define actual locations where monitoring will be necessary based upon the project design. The PER shall be prepared in accordance with the Department's Standard Environmental Reference (SER).</p> <p>For any areas where surface expressions of sensitive stratigraphic units are identified, and for any areas where subsurface excavation is anticipated, the project paleontologist shall both design and implement a paleontological mitigation program (PMP) for the project. The PMP shall be designed by the project paleontologist consistent with Society of Vertebrate Paleontology guidelines (Society of Vertebrate Paleontology 1995, 1996) and with the Department's SER. The PMP shall include at a minimum: Preconstruction coordination; construction monitoring; data recovery; fossil treatment; curation procedures; and reporting.</p>	ED	Y	Principal Paleontologist	Pre-Const./ Construction		
	Environmental Awareness Training						
ENVIRONMENTAL COMMITMENTS	<p>Before the onset of construction activities, a qualified biologist shall conduct an education program for all construction personnel. The training would include a description of special-status species and their potential habitats within or adjacent to the project corridor. A fact sheet shall be prepared and distributed to all construction crews conveying: (1) the status of these species and their protection under the Endangered Species Act; (2) the measures to conserve listed species and their habitats as they relate to the work site; and (3) the identification of the habitat boundaries within which construction may occur. Upon completion of the program, personnel must sign a form stating that they attended the program and understand all the avoidance and minimization measures.</p>	ED	Y	Contract Biologist	Pre-Const.		
	<p>To minimize the dispersal of invasive species, construction supervisors and managers shall be educated on weed identification and the importance of controlling and preventing the spread of noxious weeds.</p>	ED	Y	Contract Biologist	Pre-Const./ Construction		
	<p>The credentials for the contractor-supplied biologist will be submitted to Caltrans to submit to the USFWS for approval.</p>	ED	Y	Contract Biologist	Pre-Const.		

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ENVIRONMENTAL COMMITMENTS	Construction Site Management Practices						
	The following restrictions shall be implemented to avoid or minimize effects on listed species and their habitats: a) A speed limit of 20 miles per hour (mph) in the project footprint in unpaved areas shall be enforced to reduce dust and excessive soil disturbance. b) Construction access, staging, storage, and parking areas shall be located within the Department project right-of-way or temporary easements and outside of any designated environmentally sensitive areas (see discussion below). Access routes and the number and size of staging and work areas would be limited to the minimum necessary to construct the project. Routes and boundaries of roadwork would be clearly marked prior to initiating construction or grading. c) For on-site storage of pipes and conduits and other materials that could provide shelter for listed animals, an open top trailer shall be used to elevate the materials above ground. This will reduce the potential for animals to climb into the conduits and other materials. d) All food and food-related trash items shall be enclosed in sealed trash containers and removed completely from the site at the end of each day. e) No pets from project personnel shall be allowed anywhere in the construction areas. f) No firearms shall be allowed in the project corridor except for those carried by authorized security personnel, or local, state or federal law enforcement officials.	ED	Y	Contractor	Design/ Construction		
	Construction activities will adhere to the Department's Statewide National Pollutant Discharge Elimination System permit. A Storm Water Pollution Prevention Plan (SWPPP) will be required. Best Management Practices outlined in the SWPPP and the environmental document will be followed.	ED	Y	Contractor	Construction		
	The Bay Area Air Quality Management District's control measures for PM ₁₀ shown in the environmental document will be followed.	ED	Y	Contractor	Construction		
	The Best Management Practices for erosion control listed in the environmental document and the SWPPP will be adhered to. All slopes or unpaved areas temporarily affected by the project will be reseeded with native grasses. Following construction, native (and non-native if appropriate) plant species will be planted at disturbed areas.	ED	Y	Contractor	Design/ Post-Construction		
	Areas with populations of high-priority noxious weed infestations shall be identified and flagged for easy identification by construction crews. Construction equipment shall be cleaned after leaving areas with high-priority noxious weed infestation areas.	ED	Y	Contractor	Construction		
	The landscaping and erosion control included in the project will not use species listed as noxious weeds. Erosion control species would be certified "weed free" to reduce the chances of introducing a new invasive species to the area.	ED	Y	Contractor	Design/ Post-Construction		
	In areas of particular sensitivity, extra precautions will be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.	ED	Y	Contractor	Construction		

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ENVIRONMENTAL COMMITMENTS	Seasonal Work Restrictions						
	In areas adjacent to salt marsh habitat, work shall be restricted to the non-nesting season, from September 1 to January 31. The MBTA, as discussed above in Section 2.4.4.2, also limits vegetation clearing (shrubs, etc.) throughout the proposed project to the non-nesting season, from September 1 through January 31.	ED	Y	Contractor	Construction		
	No work shall be conducted in the area of Codornices Creek during the overwintering season for monarch butterflies (October 1 through February 28).	ED	Y	Contractor	Construction		
	To the extent practicable, in areas where California red-legged frog may occur, construction would be restricted to May 1 to October 15.	ED	Y	Contractor	Construction		
	To the extent practicable, in areas where Alameda whipsnake may occur, construction would be restricted to March 1 to November 15.	ED	Y	Contractor	Construction		
	Preconstruction Surveys						
	Preconstruction special-status plant species surveys during the blooming season shall be conducted in suitable habitat where construction activities would occur. If special-status plants are found prior to or during construction activities, a buffer zone shall be clearly delineated as an environmentally sensitive area (see commitment below) by a qualified biologist.	ED	Y	Contract Biologist	Pre-Const.		
	Preconstruction surveys shall be conducted by a U.S. Fish and Wildlife Service (USFWS)-approved biologist immediately prior to the initiation of any ground disturbing activities within or adjacent to suitable habitat for special-status animal species. Visual encounter surveys shall be conducted within areas subject to ground disturbing activities. All suitable aquatic and upland habitat including refugia habitat such as under shrubs, downed logs, small woody debris, burrows, etc., shall be thoroughly inspected. If a special-status species is observed, the individual(s) shall not be captured or handled without authorization from the USFWS, and shall be allowed to move away on its own.	ED	Y	USFWS Biologist	Pre-Const.		
	If construction activities are scheduled to occur during the nesting season for protected bird species (February 1 through August 31), a preconstruction nesting bird survey shall be performed by a qualified biologist within seven days of ground breaking activities. The preconstruction survey shall identify any active nest sites within or immediately adjacent to the project corridor. If no nesting sites are observed, no further action is required and grading shall occur within one week of the survey.	ED	Y	Contract Biologist	Pre-Const.		
	If preconstruction surveys for protected bird species indicate that nesting sites would be impacted by construction activities, a no-disturbance buffer (i.e. 300 feet for raptors) shall be established around the nest to avoid disturbance or destruction of the nest until after the breeding season or after a wildlife biologist determines that the young have fledged (usually late-June to August). To delineate the buffer zone around a nesting tree, orange construction fencing would be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude. The extent of these buffers would be determined by a wildlife biologist in consultation with the California Department of Fish and Game, and will depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers.	ED	Y	Contract Biologist	Pre-Const.		
Areas of bare ground or with grass less than six inches in height may attract western burrowing owls during the winter season. If construction is to occur after a period of inactivity and soil is left barren, a burrowing owl habitat evaluation to determine occupancy of the site shall be conducted prior to ground disturbance the following season.	ED	Y	Contract Biologist	Pre-Const.			

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ENVIRONMENTAL COMMITMENTS	Conduct preconstruction surveys of the I-80 underpass crossing at Buchanan Street and Gilman Street for roosting bats where an eastbound closed-circuit television camera would be installed (CCTV EB1a). If roosting bats are present, consultation with CDFG is necessary to assess options for avoiding impacts on the bats. Avoidance could include determining a no-disturbance buffer around maternal bat roosts, appropriate timing for construction, or the feasibility of installing exclusion devices at roosts.	ED	Y	Contract Biologist	Pre-Const.			
	Environmentally Sensitive Areas							
	Prior to the start of construction, areas containing sensitive habitats adjacent to or within construction work areas shall be clearly delineated as environmentally sensitive areas (ESAs) using high-visibility orange fencing. The ESAs would include all potential habitat areas for the threatened and endangered species with the potential to occur along the project corridor (i.e., California red-legged frogs and Alameda whipsnakes). In addition, all hydrologic features within the BSA that have been identified as waters of the U.S. or state waters shall also be delineated on project design plans and designated ESAs. The final project plans shall depict the locations where ESA fencing would be installed and how it would be installed. The special provisions of the bid package shall clearly describe acceptable fencing material and prohibited construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within ESAs.	ED	Y	Contractor	Design/ Pre-Const.			
	The ESA fencing shall remain in place throughout the duration of the project-related construction activities to prevent the encroachment of construction equipment/personnel into sensitive areas.	ED	Y	Contractor	Const./ Post-Const.			
	Avoidance of Entrapment							
	To prevent inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches more than 1 foot deep shall be covered at the close of each working day with plywood or other suitable material, or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled they must be thoroughly inspected for trapped animals. In addition, the contractor shall seal (using tape at both ends) all pipes or tubing 4 inches or greater to prevent animals from entering the pipes at night. All pipes, culverts, or similar structures stored overnight would be inspected before they are subsequently moved, capped, and/or buried. If at any time a listed species is discovered, the Resident Engineer and USFWS-approved biologist shall be immediately informed. The animal shall be allowed to move out of the area on its own.	ED	Y	Contractor	Const.			
	Specific areas that may be in proximity of or adjacent to special-status animal species habitat may require the installation of wildlife exclusion fencing. These areas shall be identified by a USFWS-approved biologist and shown on the project design plans. The installation of the fencing shall be directed by the qualified biologist and the Department's Resident Engineer based on habitat suitability. The special provisions of the bid solicitation package shall clearly describe acceptable fencing material and proper fencing installation and maintenance. The fencing shall remain in place throughout the duration of project-related construction activities, and shall be regularly inspected and maintained. The fencing shall be completely removed upon completion of project. The topography and grade shall be restored to preconstruction conditions, and the areas revegetated to preconstruction condition or better.	ED	Y	USFWS Biologist	Design/ Pre-Const./ Const./ Post-Const			
	California red-legged frog exclusion fencing consists of silt fence that extends 20 feet beyond the area of construction activities in specific locations, with the ends angled back towards the habitat to direct movement back to the aquatic habitat. When construction activities in or adjacent to Alameda whipsnake habitat are anticipated to last longer than 10 days, exclusion fencing would consist of plywood.	ED	Y	Contractor	Const.			

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ENVIRONMENTAL COMMITMENTS	To prevent animals from becoming entangled or trapped in erosion control materials, plastic monofilament netting (i.e., erosion control matting) or similar material would not be used. Several commercially available products that are marketed as photodegradable and biodegradable contain synthetic netting, which can take several months to decompose and should not be used in habitat areas. Acceptable erosion control materials are those that use natural fibers such as jute, coconut, twine or other similar fibers.	ED	Y	Contractor	Const.			
	Construction Monitoring							
	A USFWS-approved biologist shall be present on site during active construction in areas identified as potential special-status animal species habitat. The biologist shall conduct work area clearance surveys at the beginning of each day and regularly throughout the workday during active construction within or adjacent to suitable habitat areas. If special-status animal species are observed during the course of active construction, all construction activities within 50 feet of the animal(s) shall be stopped. Using best professional judgment, the USFWS-approved biologist may determine that project activities can be resumed without harming or injuring the animal(s). At no time shall work occur within 50 feet of the animal without the biological monitor present. The animal(s) would not be captured or handled without authorization from the USFWS, and would be allowed to move away on its own.	ED	Y	USFWS Biologist	Const.			
	Conduit Installation							
	In general, a trencher machine shall be used to create new conduits for the electrical and/or fiber optic lines. In some locations, existing conduit can be used and no ground disturbance would be required. All work shall be relocated to avoid and reduce potential impacts to environmentally sensitive areas.	ED	Y	Contractor	Const.			
	All trenching shall be conducted on the side of roadways furthest from identified California red-legged frog breeding habitat, where possible. Otherwise, horizontal directional drilling shall be used in areas closer to this sensitive habitat. Horizontal directional drilling shall be used to install conduit between the Powell Street and Ashby Avenue interchanges (a distance of approximately 1 mile) and along the south side of Buchanan Street between I-80 and I-580 (a distance of approximately 300 feet). All directional drilling adjacent to salt marsh habitat shall be conducted on the east side of the frontage road to the westbound lanes.	ED	Y	Contractor	Const.			
	The project design shall include conduit runs that are routed outside of tree drip lines to the extent practicable. In cases where the conduit cannot be routed away from the tree's drip line, hand digging shall be used for placing the conduit to ensure that no root systems in the area are damaged. If necessary, trenchless construction techniques shall be used to place the conduit without damaging tree roots. A Department-approved biologist shall be on hand during construction activities that could impact trees to oversee hand digging, tree pruning, and other construction activities within tree drip lines.	ED	Y	Contractor/ Contract Biologist	Design/ Const.			
	The electric and communications conduit being placed at the I-80 crossing at Buchanan Street (CCTV EB1a) shall be installed using horizontal directional drilling to prevent impacts to bats potentially roosting in the overpass. All directional drilling adjacent to salt marsh habitat would be conducted on the east side of the frontage road to the westbound lanes. The staging for the work shall be placed on the east side of the overpass to avoid adding harmful exhaust into the area.	ED	Y	Contractor	Const.			
	Any removal of vegetation near Alameda whipsnake habitat shall be conducted using hand tools (i.e., weed-whacker).	ED	Y	Contractor	Const.			
	Restricted Construction Methods							
No pile driving shall occur at any of the gantry locations adjacent to salt marsh habitat.	ED	Y	Contractor	Const.				

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ENVIRONMENTAL COMMITMENTS	To the extent practicable, nighttime construction shall be minimized to avoid effects to nocturnally active species, especially for those areas adjacent to salt marsh habitat. All lighting shall be directed away from potential special-status species habitat when nighttime work is to be conducted.	ED	Y	Contractor	Const.			
	Predator Perches							
	The project design shall incorporate anti-predator perching devices on gantries and sign structures located adjacent to sensitive areas such as salt marsh habitat and California red-legged frog habitat.	ED	Y	Contractor	Design			
<u>A copy of the project PS&E must be sent to Environmental for review before finalization.</u>								
cc: Design, Senior Envir. Plan., File		OFFICE CHIEF OF ENVIRONMENTAL PLANNING				DATE		