

INFORMATION HANDOUT

**For Contract No. 03-4F4904
At 03-Nev,Sie-89-8.3/8.7, 0.0/11.3**

**Identified by
Project ID 0314000171**

03-4F4904
03-Nev,Sie-89-8.3/8.7, 0.0/11.3
Project ID 0314000171

ENCROACHMENT PERMITS

United States Department of Agriculture Forest Service Temporary Special - Use Permit

MATERIALS INFORMATION

Water Source Information

Authorization ID: TRU179
Contact ID: CAL_DIST 3
Expiration Date: 12/31/2017
Use Code: 753

FS-2700-25 (01/2014)
OMB NO. 0596-0082

**U.S. DEPARTMENT OF AGRICULTURE
Forest Service
TEMPORARY SPECIAL - USE PERMIT
(FSH 2709.11, sec. 53.13a)
AUTHORITY:
FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED October 21, 1976**

CALTRANS, DISTRICT 3, hereinafter called the Holder, is hereby authorized to use, subject to the terms and conditions of this permit, National Forest System land identified within the unit area and described as Sec. 33, T. 19 N., R. 16 E., MT. DIABLO MERIDIAN, , as shown on the attached Exhibit(s) A. This authorization covers approximately .05 acres.

The holder is authorized to conduct the following activities and/ or install the following temporary improvements on the permitted area:

Permit authorizes temporary activities related to road construction north of Sagehen Road on Highway 89.

Construction activities include using dirt areas on southbound lane north of Sagehen Road along highway 89 for staging/storing for equipment/trucks.

Access to Sagehen Road and University research storage facility will not be blocked.

There will not be any storage of asphalt or other materials within dirt/staging areas.

TERMS AND CONDITIONS

1. Use under this permit shall begin on 02/01/2017 and end on 12/31/2017. The permit shall not be extended.
2. The fee for this use is \$N/A. The fee shall be paid in advance and is not refundable.
3. The holder shall conduct the authorized activities according to the attached approved plans and specifications, Exhibit(s) D-E.
4. The holder shall not install any improvements not specifically identified and approved above.
5. No soil, trees, or other vegetation may be destroyed or removed from National Forest System lands without specific prior written permission from the authorized officer.
6. The holder shall comply with all Federal, State, county, and municipal laws, ordinances, and regulations which are applicable to the area or operations covered by this permit.
7. The holder shall maintain the improvements and premises to standards of repair, orderliness, neatness, sanitation, and safety acceptable to the authorized officer. The holder shall fully repair and bear the expense for all damage, other than ordinary wear and tear, to National Forest System lands, roads and trails caused by the holder's activities.

8. The holder has the responsibility of inspecting the use area and adjoining areas for dangerous trees, hanging limbs, and other evidence of hazardous conditions which would pose a risk of injury to individuals. After securing permission from the authorized officer, the holder shall remove such hazards.
9. The holder shall be liable for any damage suffered by the United States resulting from or related to use of this permit, including damages to National Forest resources and costs of fire suppression.
10. The holder shall hold harmless the United States from any liability from damage to life or property arising from the holder's occupancy or use of National Forest lands under this permit.
11. The holder agrees to permit the free and unrestricted access to and upon the premises at all times for all lawful and proper purposes not inconsistent with the intent of the permit or with the reasonable exercise and enjoyment by the holder of the privileges thereof.
12. This permit is subject to all valid existing rights and claims outstanding in third parties.
13. This permit may be revoked upon breach of any of the conditions herein or at the discretion of the authorized officer. Upon expiration or revocation of this permit, the holder shall immediately remove all improvements except those owned by the United States, and shall restore the site within 30 day(s), unless otherwise agreed upon in writing. If the holder fails to remove the improvements, they shall become the property of the United States, but that will not relieve the holder of liability for the cost of their removal and restoration of the site.
14. This permit is a license for the use of federally owned land. It does not grant any interest in real property. This permit is not transferable. The holder shall not enter into any agreements with third parties for occupancy of the authorized premises and improvements.
15. Appeal of any provisions of this permit or any requirements thereof shall be subject to the appeal regulations at 36 CFR 214 or revisions thereof.
16. This permit is accepted subject to the conditions set forth herein, condition(s) NA and Exhibit(s) A-E attached to and made a part of this permit.
17. The above clauses shall control if they conflict with additional clauses or provisions.

I have read and understand the terms and conditions and agree to abide by them.

HOLDER

By: *Douglas Bortz*

Printed Name: Douglas Bortz

Title: Acting Assistant Chief North Region
Right of Way Marysville

Date: 9-26-16

U. S. DEPARTMENT OF AGRICULTURE
Forest Service

By: *Joanne B. Roubique*

Name: JOANNE B. ROUBIQUE

Title: District Ranger
(Authorized Officer)

Date: 9/28/16

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0082. The time required to complete this information collection is estimated to average one (1) hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

CalTrans 89 Sagehen Summit Road Project
2016 Operating Plan
Tahoe National Forest
Sierraville and Truckee Ranger District
Sierra County, California

Project Background:

Permit authorizes California Department of Transportation (CalTrans) to conduct temporary construction activities related to road construction north of Sagehen Road on Highway 89 within T.19N., R.16E, Sec. 33, MDM. Access to Sagehen Road will not be blocked

Construction related activities also include using dirt areas on southbound lane north of Sagehen Road on Highway 89 for staging/storing of heavy equipment/trucks while construction occurs. There will not be any storage of asphalt or other materials within the parking area.

A University of California, Berkley storage building also exists at Sagehen Summit adjacent to the southbound lane/project area and access to this facility will not be blocked.

Project Timeline:

Summer 2017. Total time to complete project is estimated at 2 months.

Resource Protection Measures and Best Management Practices

The following guidelines and procedures will be adhered to for this project:

Soils and Hydrology:

- 1) Prepare and implement an erosion control plan to guard against discharge (including storm events during the construction/demolition) to stream channels.
- 2) Limit construction/demolition to the dry season when soil is dry to at least six inches.
- 3) Mulch all bare soil that is the result of construction activities.

Nonnative Invasive Plant Management Resource Protection Measures

Weed Prevention and Control Measures:

Protection Measures that will be implemented to prevent and control the spread of all noxious weeds (specifically "A" and "B" rated noxious weed musk thistle) in the project area include:

1. Cleaning of heavy equipment. Any equipment that is brought on site should be washed, if it is coming from a known noxious weed infested area. Clean equipment inspection should be performed before the heavy equipment arrives on site and when equipment moves from infested areas, to lightly or non-infested areas. Note: Some of the CalTrans yards are known to be infested by perennial pepperweed. Local infestations have been reported at the Donner Yard and yard near Calpine, CA. Many roadside in the area are also known to be infested at various locations.

2. Any gravel materials to be used for road base or road shoulders should come from a pre-approved weed free gravel pit source.
3. Erosion control materials should come from adjacent areas. It is recommended that conifer needles and chipped branches be used for mulch and native seeds be raked in from the side to revegetate and cover disturbed ground.
4. Any materials which would be stored on site for an extended period of time (3 months) should be covered by some kind of barrier to prevent the materials from becoming infested with non-native invasive plants. These stock piles should be inspected for infestations before use. Infested stockpiles should not be used.

Fire and Fuels

- 1) Participate in the development of a fire plan for the project and implement the plan during construction.
- 2) A direct settlement sale will be used for trees to be removed for this project. All Best Management Practices and Resource Protection Measures designated in the direct settlement sale will be adhered to in addition to the measures established in this Operating Plan.
- 3) All vegetation removed from National Forest land *for the associated work* will be removed from the site if not utilized for erosion control measures (includes trees, brush, associated limb slash, stumps, root wads, etc.).

Archaeological and historic resources:

- 1) Any archaeological sites not evaluated prior to project implementation will be considered as being eligible for the National Register and will be protected. Any areas of concern identified during project reconnaissance will be flagged. These areas will be avoided during project implementation.

Aquatic and Terrestrial Wildlife and Plant Protection Measures:

- 1) TES Species – If any Federally Threatened, Endangered, Proposed, or Forest Service Sensitive Species previously unknown in the project area are detected or found nesting, denning, or present within .25 miles of the project area or any project activities, appropriate mitigation measures would be implemented based on input from the aquatics biologist, botanist, and /or wildlife biologist. Measures may include, but are not limited to, flagging and avoiding a sensitive plant site, implementing a species specific LOP, or designating a new Protected Activity Center (PAC).
- 2) The Botanist will flag known occurrences of species in areas that could be disturbed by project activities. Efforts will be made to prevent effects to these flagged areas.
- 3) Raptor nests – If any active Raptor nest is identified within the boundaries of the project area or directly adjacent to the project area (within .25 miles) a buffer would be placed around the active nest and at the discretion of the District Biologist a species specific LOP may be put into place for the buffer zone.
- 4) Carnivore Nests and Denning Structures – American Marten Den Site Buffers shall be protected against disturbance from project activities with an LOP from May 1st through July 31st. If any

large stick nests or signs of active denning are observed or detected within or adjacent to the project area, in or near any tress designated for removal, or in downed logs within or adjacent to the project area, work will cease in the immediate area and the occurrence will be reported to the wildlife biologist to determine any potential need for further review and/or mitigation measures.

Soils and Water Resources

Regional Planning Objective: Include plan objectives to maintain or, where appropriate, improve or restore watershed conditions to achieve desired conditions of soil, water quality, and riparian resources. Consider watershed characteristics, current and expected environmental conditions, and potential effects of land uses when determining suitability of NFS lands. Regional BMPs: Plan-1.

HS-1: Obtain Necessary Permits.

- Prior to project attain needed permits from State, Federal and County Regulatory Agencies. Implement all requirements as stated in associated permits.
- Provide, Erosion Control Plan/SWPP as required to maintain water quality requirements and to meet state and federal laws and regulation. Best Management Practices (BMPs): 2.8, 4.7.3
Regional BMPs: Plan-1, Chem-5.

HS-2: Protect soil and Water from Hazardous Materials. Regional BMPs: Plan-1, Chem-5.

- Develop spill contingency plans as needed. Obtain or provide training and licensing as required by the label and State regulations for hazardous materials.
- Specify fueling and fuel storage areas in a safe location. Require emergency spill plan. Have an emergency spill remediation kit available at the site. Staging of materials and equipment will be limited to existing disturbed areas
- Wastes and petroleum products used during construction will be collected and removed from the project site in accordance with the Resource Conservation and Recovery Act regulations and federal Occupational Safety and Health Administration (OSHA) standards.
- Manage materials placed in the borrow pit so no hazardous materials are spilled or disposed of in this location. Dry temporary stored materials should be removed prior to the winter season due to pond development within the borrow pit.

HS-3 Design Components. Regional BMPs: Plan-1, BMP Road-4.

- Roads/pull outs must be designed and maintained to drain and disperse water runoff to minimize erosive water flow.
- Snow removal and storage methods should be consistent with maintaining drainage and dispersal of water runoff to minimize erosive water flow.
- Limit disturbance to the smallest area necessary to complete project objectives.

HS-4: Construction/Erosion Control.

- Provide for erosion control during construction activities.
- If a runoff-producing thunderstorm occurs, construction work would cease and measures to control erosion would be implemented until the storm and runoff have passed. At any point where surface flows could be considered to increase construction site erosion all available means will be used to control erosion.

HS-5: Post-implementation/Erosion Control. Equipment staging areas, and other disturbed areas used during construction will be restored to pre-construction conditions. Areas used that need permanent erosion control will be treated to control erosion. Where staging areas are disturbed beyond the permanent bypass loosening or scarifying the soil, seeding, and mulching with native and/or weed-free material can be used to control sediment transport. Expanded areas will be reduced to their prior extent using these procedures.


Holder Representative Signature
Printed Name Douglas Borte
Title: Acting Assistant Chief North Region Right of Way, Marysville
Date: 9-26-16

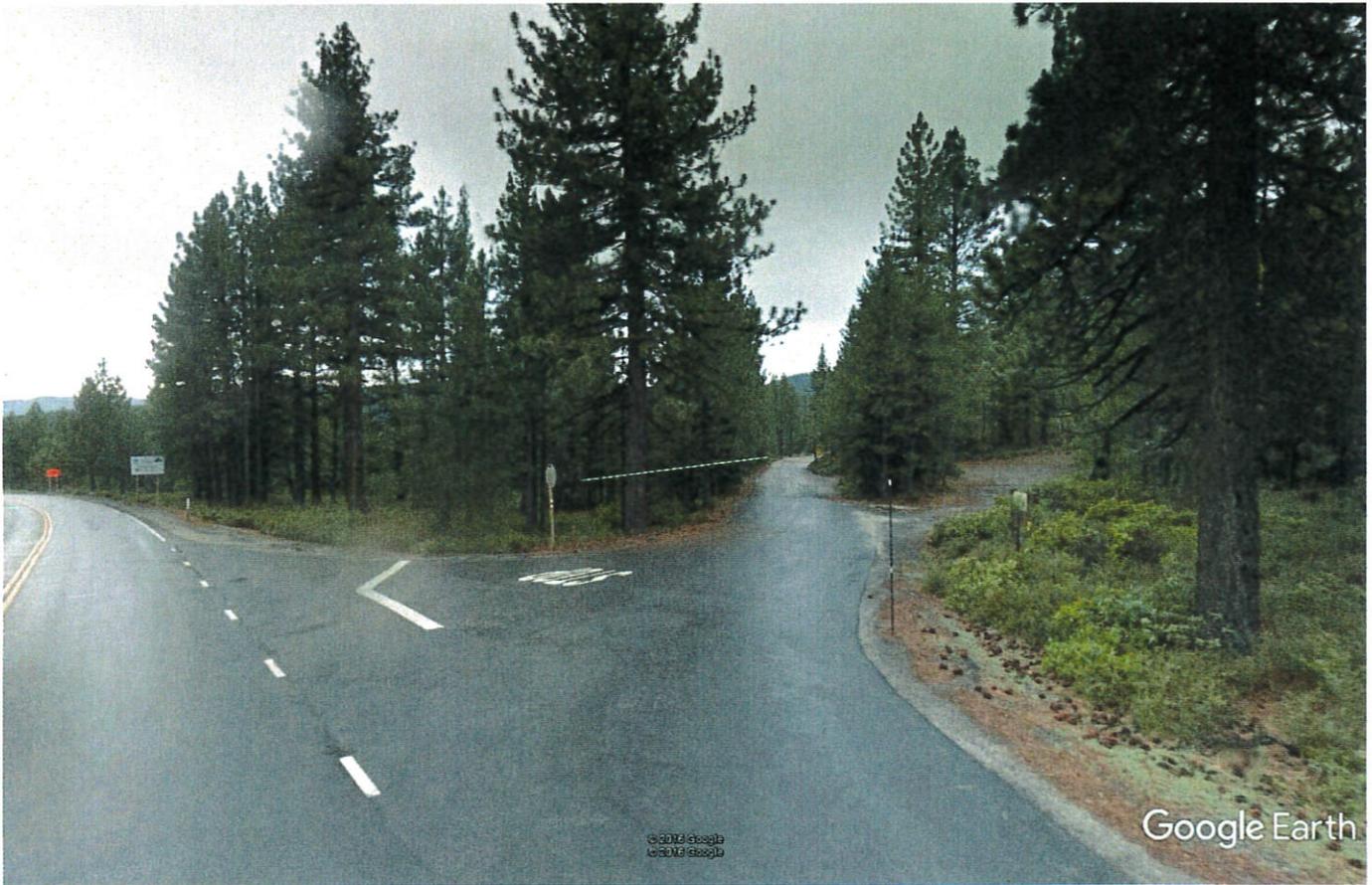

JOANNE B. ROUBIQUE
District Ranger
Date 9/28/16



Google Earth



UNIVERSITY RESEARCH STORAGE FACILITY



Google Earth



SAGEHEN ROAD

Johnson, Nicki@DOT

From: Brian Wright <brianwright@tdpud.org>
Sent: Tuesday, May 31, 2016 9:40 AM
To: Johnson, Nicki@DOT
Subject: RE: Water Availability Request for Caltrans Project 03-4F490
Attachments: Construction Water Locations.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

Here are the locations for the construction water resources:

- The non-potable water shall be collected from the Truckee Donner Public Utility District's 'Southside Well', located at 10514 Brockway Rd. (south side of the road, just east of Palisades Dr.)
- In the event that non-potable water is not available during the project, the District will designate a fire hydrant equipped with meter and valve for contractors to draw water from. This hydrant will be located on Soaring Way, near the Truckee Tahoe Airport.

I have attached a simple map for your reference. Please feel free to contact me with any additional questions.

Brian Wright
Water Superintendent

Truckee Donner Public Utility
11570 Donner Pass Road
Truckee, CA 96161

Office: (530)582-3957
brianwright@tdpud.org

From: Johnson, Nicki@DOT [mailto:Nicki.Johnson@dot.ca.gov]
Sent: Friday, May 27, 2016 1:30 PM
To: Brian Wright
Subject: RE: Water Availability Request for Caltrans Project 03-4F490

Mr. Wright,
Thank you for your quick response. I just have one question for you. Where is the facility that the contractor would obtain water from?

Regards,

Nicki Johnson
PLA #5213, CPESC, QSD/QSP
Caltrans - District 3
Landscape Architecture, Storm Water
(530) 741-4012

From: Brian Wright [<mailto:brianwright@tdpud.org>]
Sent: Friday, May 27, 2016 12:31 PM
To: Johnson, Nicki@DOT <Nicki.Johnson@dot.ca.gov>
Subject: RE: Water Availability Request for Caltrans Project 03-4F490

Good afternoon,

Thank you for the inquiry. I have reviewed the request for construction water for your project next summer. The Truckee Donner Public Utility District will have the capacity to provide non-potable water for construction use, in the quantities outlined in your request. In the event that the non-potable resource is not available, the TDPUD will be able to make available temporary access to potable water, as to not interfere with the schedule of your project.

The Truckee Donner PUD request that Caltrans, or the contractor performing the construction, contact the TDPUD 10 days in advance and submit a TDPUD construction water permit application. The current fees for access to non-potable construction water are \$10/day, and subject change each year. The permit is applicable and valid for the specific project identified on the application. Contractors participating in multiple projects will need to indicate each project on the application.

Thank you for inquiring with us in advance, and feel free to contact my office with any additional questions or concerns.

Regards,

Brian Wright
Water Superintendent

Truckee Donner Public Utility
11570 Donner Pass Road
Truckee, CA 96161

Office: (530)582-3957
brianwright@tdpud.org

From: Johnson, Nicki@DOT [<mailto:Nicki.Johnson@dot.ca.gov>]
Sent: Thursday, May 26, 2016 4:03 PM
To: Brian Wright
Subject: Water Availability Request for Caltrans Project 03-4F490

To: Brian Wright
Water Superintendent
Truckee Donner Public Utility District

03-NEV/SIE-89
EA 03-4F490
PM 8.3/8.7, 0.0/11.3

Dear Mr. Wright:

Caltrans will be advertising a contract to construct five truck turnouts on Route 89 in Sierra County. These will all be approximately 250 feet long with 50 foot long tapers on each end. The locations of these were chosen to maximize the effectiveness of the turnouts. The work will consist of roadway excavation, placement of aggregate base, hot mix asphalt, import borrow, drainage systems, and erosion control. Due to the topography and geographic location of the project, additional storm water and resource conservation efforts will be implemented. See the attached project plans

title sheet for project location and the areas of water use. Attached also is the Water Use Estimate. The anticipated construction start and end date for the project are: 6/1/2017 and 8/1/2017 respectively.

Please let us know whether sufficient quantity of nonpotable water is available for use within the construction limits of this project and what the application process is. Please let us know if potable water is an available option as well. Approximately 146,650 gallons of water will be required during construction. We estimate there will be about 15 days within the construction period water will be needed with at most two trucks per day filling up.

If you have any questions regarding this project, please contact me via email at nicki.johnson@dot.ca.gov or telephone (530) 741-4012.

Thank you,

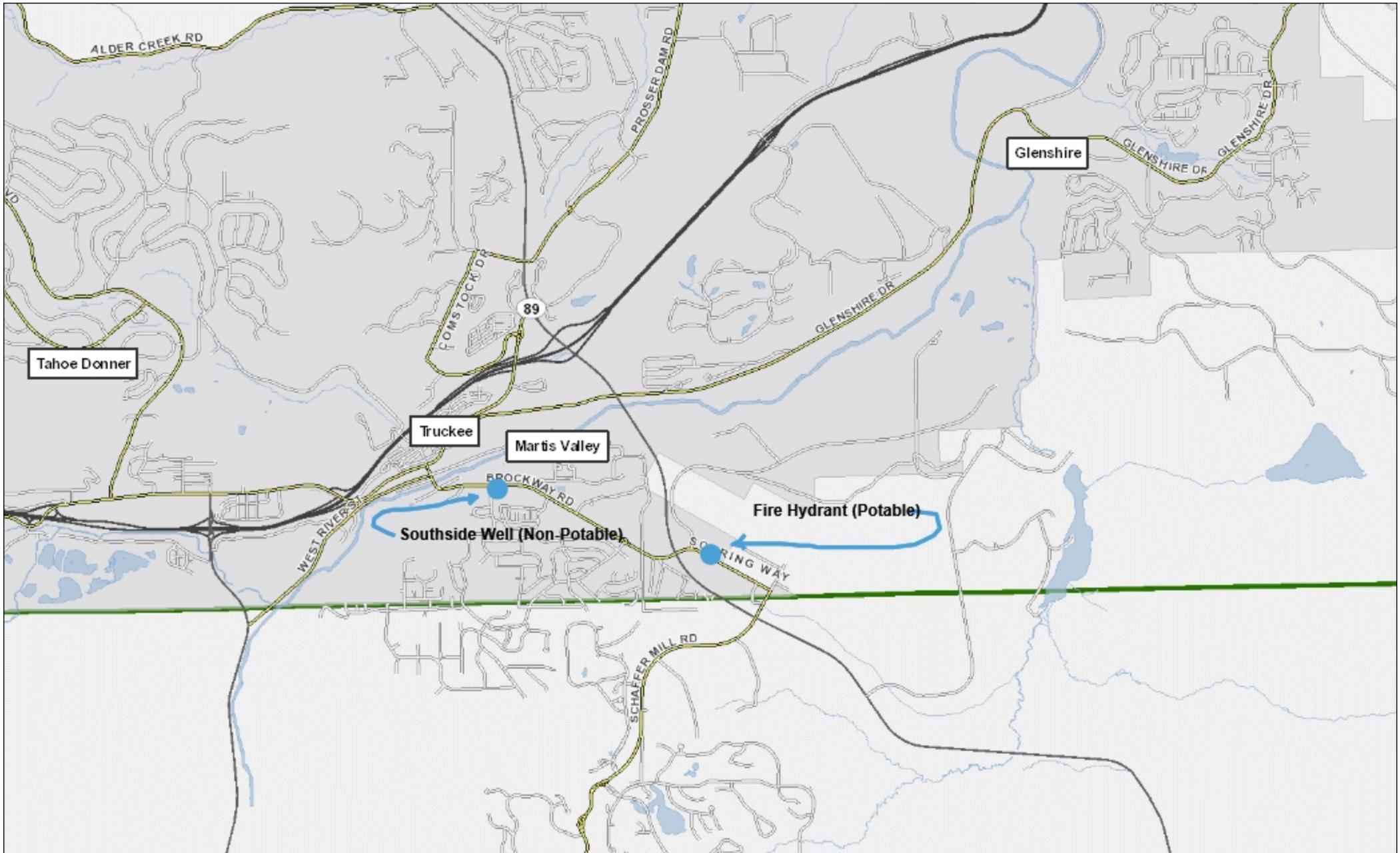
Nicki Johnson

PLA #5213, CPESC, QSD/QSP

Caltrans - District 3

Landscape Architecture, Storm Water

(530) 741-4012



7,892.72 0 3,946.36 7,892.7 Feet

This map is a user generated static output and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.