

Wagon Trail Mitigation Site Project

District 10-CAL

EA 10-0E530

Project ID: 1000000025

Initial Study with Proposed Mitigated Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation in cooperation with Calaveras County

September 2020



General Information About This Document

What's in this document:

The California Department of Transportation (Caltrans), in cooperation with Calaveras County, has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for a proposed mitigation project in Calaveras County in California. The document explains why the Project is being proposed, the alternatives being considered for the Project, the existing environment that could be affected by the Project, potential impacts of each of the alternatives, and proposed avoidance, minimization, and/or mitigation measures.

What you should do:

Please read the document. If you would like a printed version or Compact Disc of this document, please contact Jennifer Lugo at (559) 779-6612, or at jennifer.lugo@dot.ca.gov. The document can also be downloaded at the following website:

<https://publicworks.calaverasgov.us/Forms-and-Documents>.

Tell us what you think. If you have any comments regarding the proposed Project, please send your written comments to Caltrans by the deadline. There is also an opportunity for a public hearing should agencies and organizations request one. Submit comments via mail to:

Jennifer Lugo, Branch Chief
Central Region Environmental
California Department of Transportation
855 M Street, Suite 200
Fresno, CA 93721
Submit comments via email to: jennifer.lugo@dot.ca.gov.

Submit comments by the deadline: October 30, 2020

What happens next:

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

Printing this document: To save paper, this document has been set up for two-sided printing (to print the front and back of a page). Blank pages occur where needed throughout the document to maintain proper layout of the chapters and appendices.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attention: Jennifer Lugo, Senior Environmental Planner/Branch Chief, California Department of Transportation, 855 M Street, Suite 200, Fresno, CA 93721: Phone Number: (559)779-6612

Wagon Trail Mitigation Site Project

**INITIAL STUDY
with Proposed Mitigated Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation



Philip Vallejo
Environmental Office Chief, North
California Department of Transportation
CEQA Lead Agency

9/22/2020

Date

The following individual can be contacted for more information about this document:

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Draft
Proposed Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Caltrans), in cooperation with Calaveras County, proposes to mitigate for Project impacts resulting from the State Route 4 Wagon Trail Realignment Project (SCH Number 2015092066) by placing a conservation easement and completing habitat enhancements on a 41-acre portion of Parcel Number 040-002-027-000 about 13.5 miles north of the State Route 4 Realignment Project. The parcel is privately owned.

Determination

This proposed Mitigated Negative Declaration is included to give notice to interested agencies and the public that it is Caltrans' intent to adopt a Mitigated Negative Declaration for this Project. This does not mean that Caltrans' decision on the Project is final. This Proposed Mitigated Negative Declaration is subject to change based on comments received from interested agencies and the public.

The California Department of Transportation has prepared an Initial Study for this Project and, pending public review, has determined the following:

The Project would have no effect on Aesthetics; Air Quality; Cultural Resources; Energy; Hazards and Hazardous Materials; Land Use and Planning; Mineral Resources; Noise; Population and Housing; Public Services; Recreation; Transportation; Tribal Cultural Resources; Utilities; and Service Systems and Wildfire.

The Project would have no significant effect on Agriculture and Forest Resources; Geology and Soils; Greenhouse Gas Emissions; and Hydrology/Water Quality.

The Project would have no significantly adverse effect on biological resources because the following mitigation measures would reduce potential impacts to insignificance:

Biological Resources:

- No ground disturbing activities will occur during rain or potential rain events.
- A qualified biologist(s) will conduct a visual encounter preconstruction survey for California tiger salamander and pond excavation will occur during the dry season.

Philip Vallejo
Environmental Office Chief, North
California Department of Transportation
CEQA Lead Agency

Date

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Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation, in cooperation with Calaveras County and the United States Fish and Wildlife Service, proposes to mitigate for biological impacts for Phase 1 of the State Route 4 Wagon Trail Realignment Project, including impacts to oak woodland habitat, riparian habitat, California red-legged frog (*Rana draytonii*) habitat, impacts to waters of the United States under United States Army Corps of Engineers' jurisdiction, and waters under the jurisdiction of California Department of Fish and Wildlife, by completing a habitat enhancement and conservation project on a privately owned parcel about 13.5 miles north of the main project alignment. This Wagon Trail Mitigation Site Project is located along Gillam Road in an unincorporated area of Calaveras County, about 0.80 miles west of Highway 26 and about 0.60 miles north of Highway 12 (see Figure 1). The Project area encompasses about 41 acres on a privately-owned parcel on the Rana Ranch property and will be placed under a conservation easement as part of the Project (see Figure 2). This property was chosen because it is within final designated critical habitat for California red-legged frog. Conservation of this property is proposed to include the construction of a pond and establishment of riparian and oak woodland habitat. Due to the type of conservation requirements listed in the Project's Biological Opinion (Reference Number 08ESMF00-2016-F-0444) and guidelines under the California Environmental Quality Act, the 41-acre conservation easement is considered a separate project and requires independent environmental approval under both the California Environmental Quality Act and National Environmental Policy Act.

Figure 1 State Route 4 Realignment Project Vicinity Map

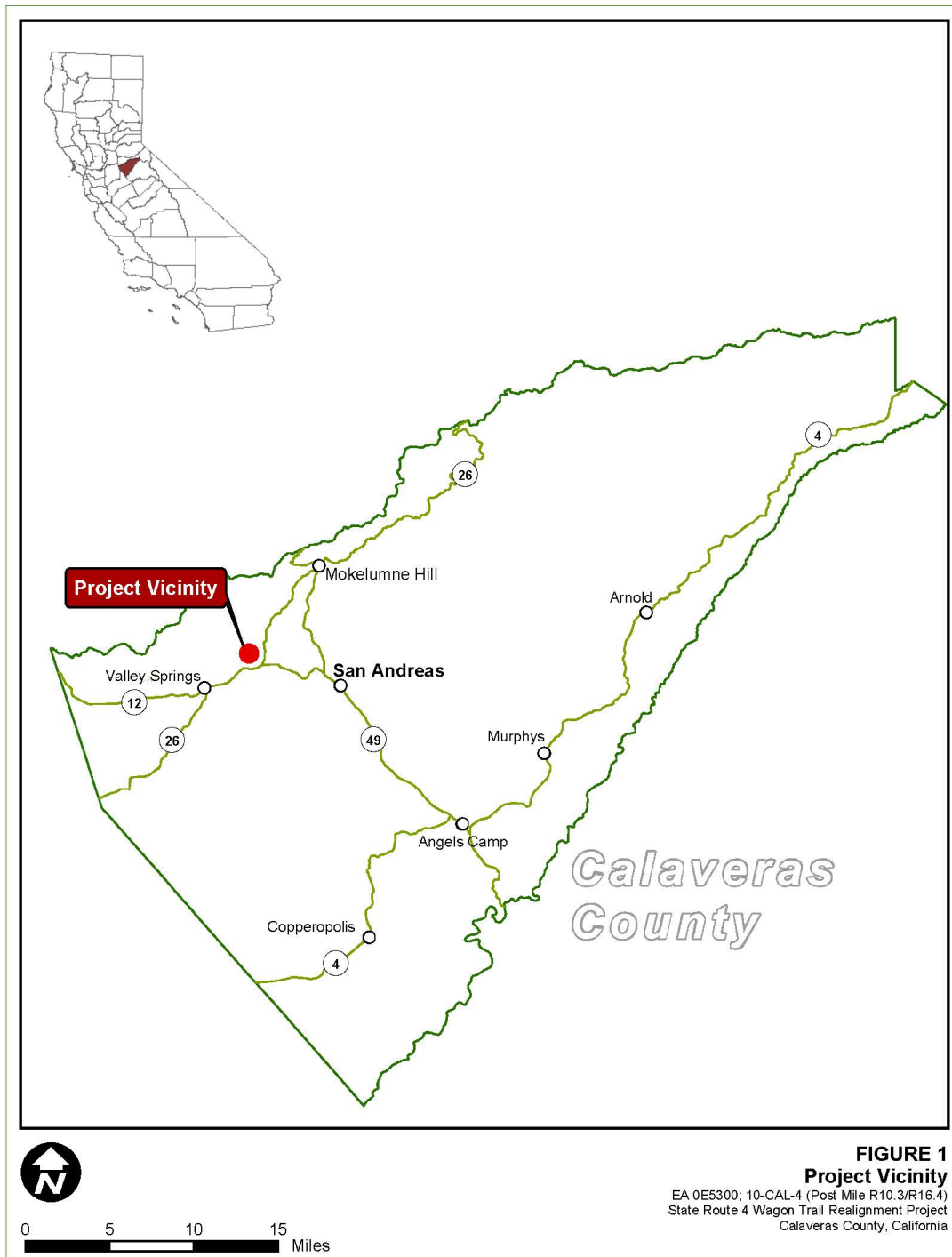
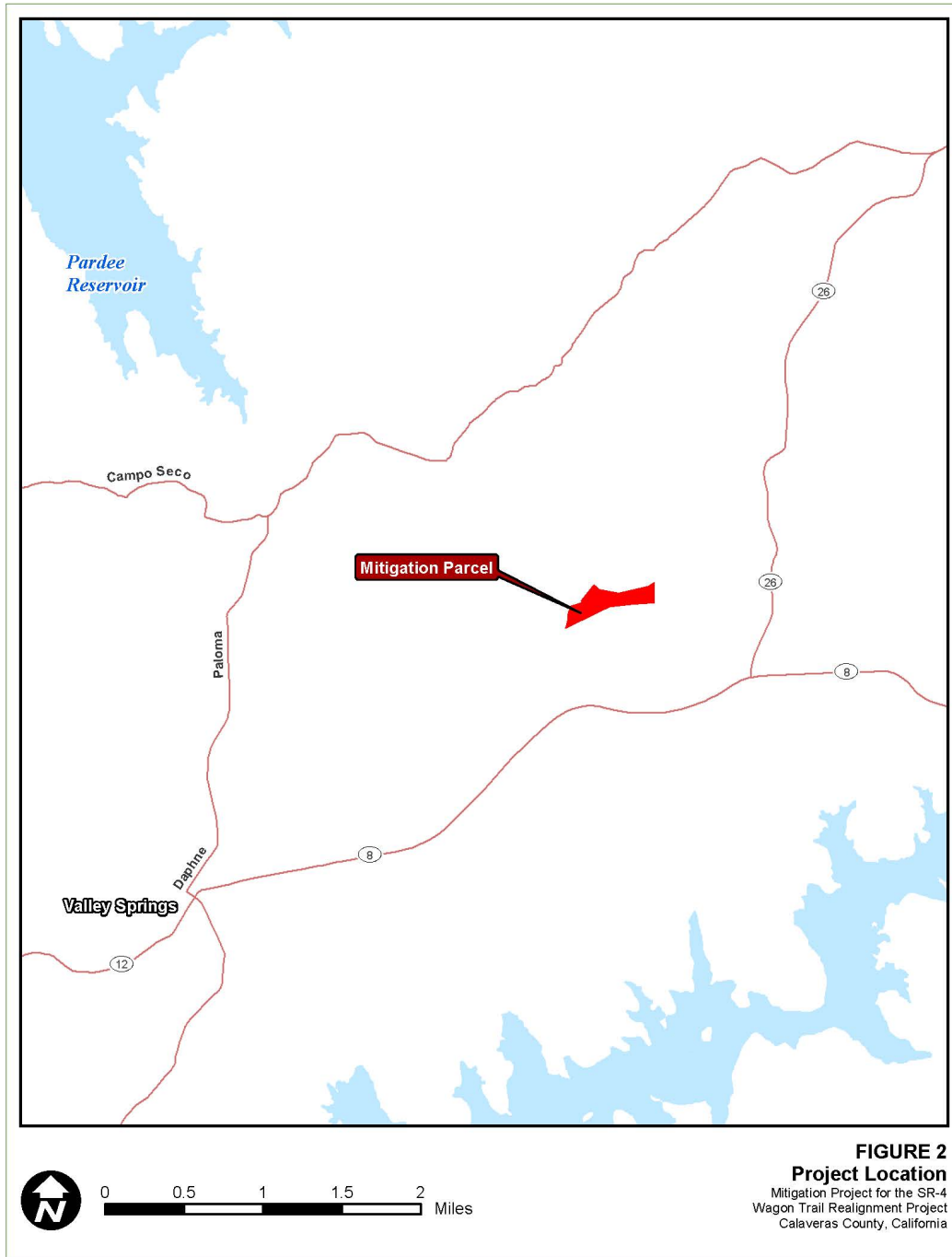


Figure 2 Mitigation Project Location Map



1.2 Purpose and Need

1.2.1 Purpose

The purpose of the project is to enhance, restore and protect California red-legged frog habitat by constructing a pond, establishing riparian and oak woodland habitat, and conserving about 2,700 linear feet of Youngs Creek tributary within the easement area.

1.2.2 Need

The proposed project is needed to mitigate for impacts to oak woodland habitat, riparian habitat, California red-legged frog dispersal habitat, and jurisdictional waters as a result of Phase 1 of the State Route 4 Realignment Project.

1.3 Project Description

The State Route 4 Wagon Trail Realignment Project proposes to realign about 6 miles of a segment of State Route 4 from Bonanza Mine Way to Stockton Road, beginning about 2.6 miles east of Copperopolis and ending about 1.6 miles west of the State Route 4/ State Route 49 junction in Altaville, Calaveras County. The State Route 4 Project has been environmentally cleared through the California Environmental Quality Act and through the National Environmental Policy Act. An Initial Study with Mitigated Negative Declaration (State Clearing House Number 2015092066) and an Environmental Assessment with Finding of No Significant Impact was approved for the State Route 4 Project in December 2016.

Due to funding constraints, the Project is being constructed in phases, with Phase 1 being defined as the westerly 3.3 miles beginning at the intersection of State Route 4/Bonanza Mine Way and ending just east of the State Route 4/Appaloosa Road intersection.

Caltrans, in cooperation with Calaveras County, proposes to mitigate for the State Route 4 Project impacts to California red-legged frog dispersal habitat and California Department of Fish and Wildlife jurisdictional habitats by placing a conservation easement on a 41-acre portion of Parcel Number 040-002-027-000 about 13.5 miles north of the State Route 4 Project and enhancing habitat values within the Conservation Easement. The parcel is privately owned and is located within Final Designated Critical Habitat for California red-legged frog. The parcel is currently used for cattle grazing and existing land cover is nearly entirely disturbed annual grassland. A small unnamed tributary to Youngs Creek runs through the parcel. A Habitat Enhancement Plan and a Long-Term Mitigation Management Plan will be prepared prior to the start of construction and submitted to the California Department of Fish and Wildlife for review and approval.

Habitat enhancement efforts will include the construction of a new about half-acre pond designed to provide aquatic California red-legged frog habitat while also being designed to drain completely each fall to break the life cycle of invasive aquatic predators, for example, the American bullfrog (*Lithobates catesbeianus*). The pond will be excavated to a maximum depth of about 3 feet and soil material will be used

to construct a 3-foot berm at the downstream side of the pond to create a pond with a design depth of about 6 feet. Boulders and large woody debris would be used to create a variety of submerged aquatic habitat types and the edge of the pond would be planted with emergent vegetation to provide cover habitat for amphibians and wading birds. A gate valve installed in the berm would be used to control water levels within the pond and ensure the pond drains completely each fall.

Furthermore, native emergent and riparian vegetation will be established around the perimeter of the pond and extend along the corridor of a portion of the existing ephemeral creek. Fencing will be temporarily added around most of the habitat enhancements to exclude cattle that currently graze on the parcel while young plants establish. Over time, cattle usage will be restored to all or portions of the Project site. On the hillsides surrounding the Youngs Creek tributary, about 400 native oak trees will be planted to recreate historic oak woodlands that were removed in the early part of the 20th century. Riparian plantings and oak trees would be provided with irrigation water for several years following installation. Patches of invasive Himalayan blackberry (*Rubus armeniacus*) within the conservation parcel along Youngs Creek tributary downstream of the pond will be removed and the area will either be planted with riparian species or hydroseeded with a native grass seed mix.

Following implementation of habitat enhancement efforts, the pond, riparian plantings, and oak tree plantings will be maintained and monitored for five years. Success criteria will be defined in the Habitat Enhancement Plan submitted to the United States Fish and Wildlife Service and the California Department of Fish and Wildlife for review and approval prior to construction.

One of the goals of the conservation easement will be to protect a Native American cultural resource located within the proposed conservation easement boundary but outside of the proposed habitat enhancement area. The conservation easement will include restrictions and/or conditions that will prohibit land development and alteration or modification to the topography within and next to the recorded resource boundary, permanently, thereby protecting the resource.

1.4 Project Alternatives

Two project alternatives for the Wagon Trail Mitigation Site Project are described below.

1.4.1 Build Alternative

The proposed Project design includes the construction of a pond, about 0.25 - 0.50 acres in size, in the eastern portion of the conservation easement where the Youngs Creek tributaries meet. The pond area will be excavated to a depth of about 3 feet and will include a 5-foot to 6-foot berm on the downstream side of the pond to create a total pond depth of about 6 feet. The Project will include other habitat elements preferred by California red-legged frog, including semi-submerged logs and emergent vegetation. The pond may need to be lined, due to the soil permeability onsite. A manually operated drainpipe will be installed within the pond to allow for drainage of the pond in late fall for years in which the pond does not dry naturally.

The drainage of the pond will discourage bullfrogs, a known predatory species of California red-legged frog, from successfully reproducing in the newly created pond.

Native emergent and riparian vegetation will be established around the perimeter of the pond and extend along the corridor of a portion of the existing ephemeral creek. Habitat enhancement efforts will also focus on the removal of invasive plant species around the proposed pond location. A total of about 0.67 acres of Youngs Creek will be conserved within the easement. Oak woodland habitat will be established in the upland areas in the eastern portion of the easement, north and south of Youngs Creek tributary. Oaks (*Quercus sp.*) will be planted within the appropriate elevation range to ensure successful establishment. Irrigation will be provided, likely through a gravity fed irrigation system from onsite wells and water tanks. Fencing will be temporarily added around most of the habitat enhancements to exclude cattle that currently graze on the parcel while young plants establish. Over time, cattle usage will be restored to all or portions of the Project site.

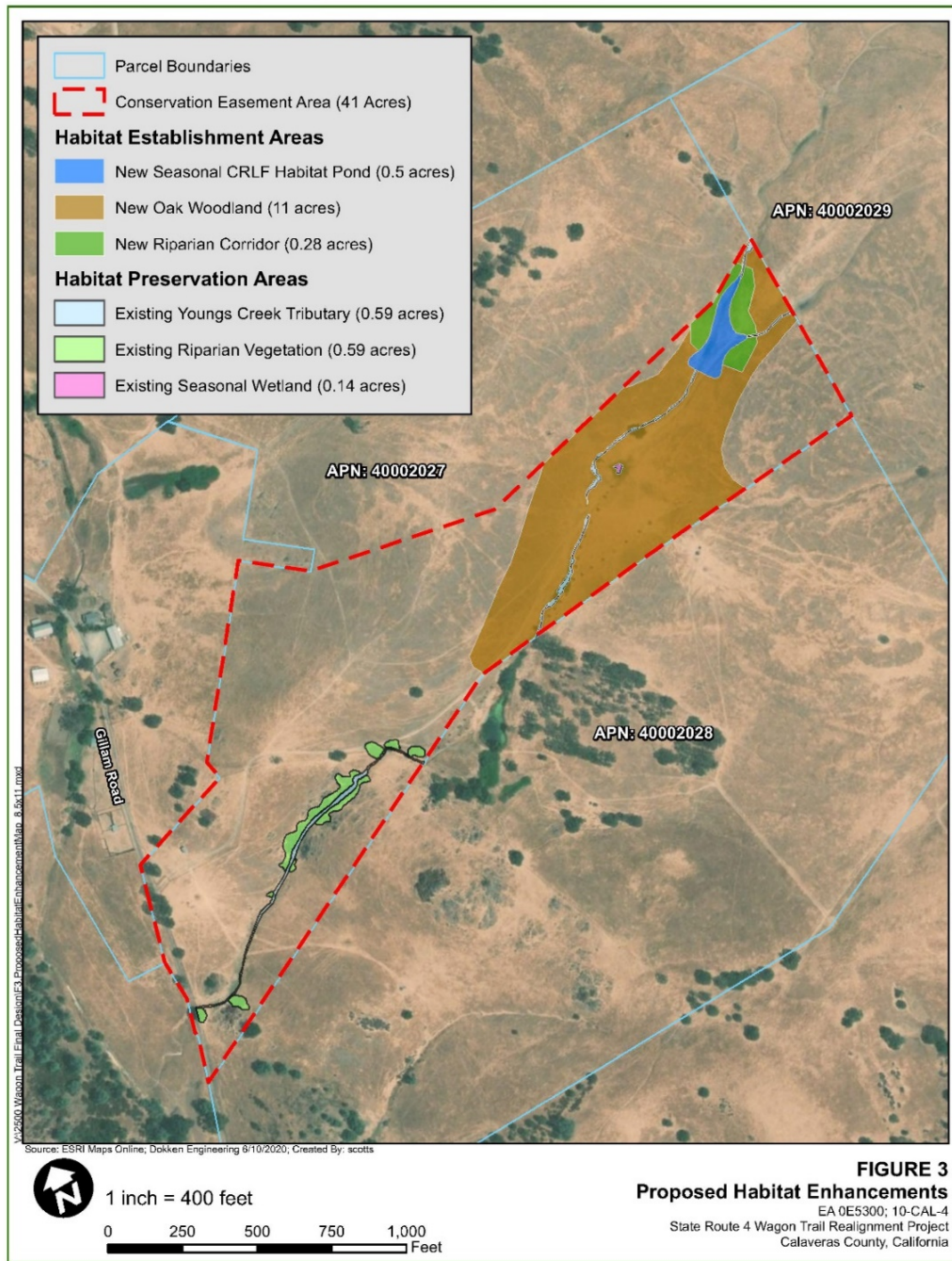
Construction of the mitigation project will be included in the Clean Water Act Section 401 Water Quality Certification and in the United States Army Corps of Engineers Clean Water Act Section 404 Permit application packages for the State Route 4 Project. and a separate 1602 Streambed Alteration Agreement will be acquired for the Mitigation Project. Construction equipment necessary for the Mitigation Project is expected to include, but not be limited to, an excavator, a backhoe, large trucks to haul materials, and hand tools for removing and planting vegetation. Existing dirt roads on the easement would allow access for construction equipment and personnel. Construction is expected to begin in 2021 and will require about four months to complete.

Based on preliminary cost estimates, mitigation costs for Phase 1 of the State Route 4 realignment project is expected to total 1.22 million dollars. This budget includes \$450,000 for construction and short-term maintenance and monitoring of this habitat enhancement project, \$300,000 to establish a non-wasting endowment to fund monitoring of the restoration project and legal defense of the conservation easement in perpetuity, approximately \$220,000 in real estate and transaction costs, \$110,000 for purchase of 0.38 mitigation credits from the National Fish and Wildlife Foundation in-lieu fee program, and \$140,000 for purchase of riparian floodplain mitigation credits from the Cosumnes River Floodplain mitigation bank. Mitigation costs will be funded as part of the State Route 4 Realignment Project.

This project contains a number of standardized project measures that are used on most, if not all, Caltrans projects and were not developed in response to any specific environmental impact resulting from the proposed project. These measures are listed later in this chapter under “Standard Measures and Best Management Practices Included in All Alternatives.

Below is a map depicting areas of Habitat Establishment Areas and Habitat Preservation Areas for the State Route 4 Project.

Figure 3 Proposed Habitat Enhancements



1.4.2 No-Build (No-Action) Alternative

Under the no-build alternative, habitat enhancements would not occur on the Rana Ranch property and commitments listed in the Biological Opinion would not be satisfied. Biological impacts from Phase 1 of the State Route 4 project would not be adequately mitigated.

1.5 Standard Measures and Best Management Practices Included in All Alternatives

The Wagon Trail Mitigation Site Project will follow the Best Management Practices and Standard Measures recommended by Caltrans.

The following measures are proposed during construction of the Project. These measures are directly from the recommended dust control plan conditions noted in Calaveras County Air Pollution Control District's Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects.

AQ-1—The applicant shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of Project development and construction.

AQ-2—All material excavated, stockpiled, or graded shall be sufficiently watered, treated, or covered to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Watering should occur at least twice daily, with complete site coverage.

AQ-3—All areas with vehicle traffic shall be watered or have dust palliative applied as necessary for regular stabilization of dust emissions.

AQ-4—All onsite vehicle traffic shall be limited to a speed of 15 miles per hour on unpaved roads.

AQ-5—All material transported off-site shall be either sufficiently watered or securely covered to prevent public nuisance, and there must be a minimum of 6 inches of freeboard in the bed of the transport vehicle.

The following Best Management Practices will be implemented to protect biological resources and water quality.

BIO-1—Prior to the start of construction within the Project limits, seasonal wetland habitat must be marked with Environmentally Sensitive Area high visibility orange fencing in areas that are proposed to be avoided.

BIO-2—Prior to the start of construction, environmental awareness trainings will be given to all construction personnel by the Project biologist to brief them on general water quality compliance, Project limit boundaries and any special-status species that have potential to occur onsite. All personnel will be required to sign a form stating attendance of the environmental awareness training.

BIO-3—Contract specifications will include the following Best Management Practices, where applicable:

- a. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- b. Oil or other petroleum products, or any other substances that could be hazardous to aquatic life must be prevented from contaminating the soil or entering surface waters; and,
- c. Any debris from construction must be taken to an approved disposal site.

BIO-4—To conform to water quality requirements, the following measure will be implemented into the Project:

- a. Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants shall be a minimum of 100 feet from wetland habitat and the ephemeral creek. Any necessary equipment washing shall occur where the water cannot flow into the wetland or ephemeral creek. A spill prevention and clean-up plan will be prepared for the Project.

BIO-5—Construction equipment shall not drive through a Youngs Creek tributary except where needed for habitat enhancements to occur. An existing culvert crossing located about 670 linear feet downstream from the proposed pond will allow access for construction equipment.

BIO-6—A minimum 100-foot no-disturbance buffer for songbirds and a 500-foot buffer for raptors must be established around any active nests. The contractor must immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. If required, a reduced buffer may be used if approved by the California Department of Fish and Wildlife on a case-by-case basis.

BIO-10—Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-11—If the Project requires vegetation removal, the removal should occur outside of the nesting bird season (February 1 to August 31), if possible. If vegetation removal is to take place during the nesting season, a preconstruction nesting bird survey must be conducted within seven days prior to vegetation removal. Within two weeks of the nesting bird survey, all vegetation cleared during these surveys must be removed.

WQ-1—Equipment will be checked daily for leaks and will be well maintained to prevent lubricants and any other deleterious materials from entering aquatic resources. Prior to operating equipment near aquatic resources, all such equipment will be free of any external petroleum products, hydraulic fluid, and coolants. Wash

water will not be discharged to any water body without pretreatment and all wash activities will take place outside of the floodplain.

The following Best Management Practices will be implemented to limit noise nuisances.

NOI-1—Noise generated from construction shall be limited to daytime hours from 7 a.m. to 6 p.m.

NOI-2—Noise generated from construction will not exceed 86 A-weighted decibels L_{max} (maximum level of sound) at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

If unknown hazardous waste/material is encountered during construction, the procedures outlined in Caltrans Hazards Procedures for Construction shall be followed. In addition, to the measures listed above, the contractor selected to implement habitat enhancement shall comply with standard air-pollution-control rules, regulations, ordinances, and statutes including those provided in Govt Code § 11017 (Pub Cont Code § 10231).

1.6 Discussion of the National Environmental Policy Act Categorical Exclusion

This document contains information regarding compliance with the California Environmental Quality Act and other state laws and regulations. Separate environmental documentation, supporting a Categorical Exclusion determination, will be prepared in accordance with the National Environmental Policy Act. When needed for clarity, or as required by California Environmental Quality Act, this document may contain references to federal laws and/or regulations (the California Environmental Quality Act, for example, requires consideration of adverse effects on species identified as a candidate, sensitive, or special-status species by the United States National Marine Fisheries Service and the United States Fish and Wildlife Service—in other words, species protected by the Federal Endangered Species Act)

1.7 Permits and Approvals Needed

The following permits, licenses, agreements, and certifications are required for Project construction:

Agency	Permit/Approval	Status
California Department of Fish & Wildlife	Section 1600 Streambed Alteration Agreement	Separate 1600 Permit submitted for mitigation site, to be obtained prior to construction
State Regional Water Quality Control Board	Section 401 Water Quality Certification	Included in permit application packages for the State Route 4 Project to be obtained prior to construction
United States Army Corps of Engineers	Section 404 Nationwide Permit Authorization	Included in permit application packages for the State Route 4 Project to be obtained prior to construction
State Regional Water Quality Control Board	National Pollution Discharge Elimination System Construction General Permit or Water Pollution Control Plan (depending on amount of ground disturbance)	To be obtained by construction contractor
United States Fish and Wildlife Service	Biological Opinion	File Number 08ESMF00-2016-F-0444

Chapter 2 California Environmental Quality Act Evaluation

2.1 California Environmental Quality Act Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed Project. Potential impact determinations include Potentially Significant Impact, Less Than Significant with Mitigation Incorporated, Less Than Significant Impact, and No Impact. In many cases, background studies performed in connection with a project will indicate that there are no impacts to a particular resource. A No Impact answer reflects this determination. The questions in this checklist are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the project and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below.

No Impact determinations in each section are based on the scope, description, and location of the proposed project as well as the appropriate technical report (bound separately in Volume 2), and no further discussion is included in this document.

2.1.1 Aesthetics

Considering the information included in the Scenic Resource Evaluation dated April 28, 2020, the following significance determinations have been made: The Project would not adversely affect any designated scenic resource and will not substantially change the current visual environment. Furthermore, the Project is intended to enhance the existing habitat and is designed to complement the existing visual environment.

Except as provided in Public Resources Code Section 21099:

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Aesthetics
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Aesthetics
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No Impact

2.1.2 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 Department 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.

Calaveras County is not included in the California Department of Conservation Division of Land Resource Protection Farmland Mapping and Monitoring Program. As such, there is no mapped Prime Farmland, Farmland of Statewide Importance, or Unique Farmland within the County. Considering the information included in the California Agricultural Land Evaluation and Site Assessment Model, Forest and Range Assessment Project and the Forest Legacy Assessment Project, and the California Department of Conservation Division of Land Resource Protection Farmland Mapping, the following significance determinations have been made: and the project will have no impact on these farmland resources. The Calaveras County General Plan designates land use the Mitigation Site as RP—Resource Production and zoned as Agricultural Preserve (Calaveras County General Plan 2019).

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Agriculture and Forest Resources
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?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less Than Significant Impact
c) Conflict with existing zoning, 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))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
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?	No Impact

Affected Environment

The Project site is zoned as agricultural preserve under the Calaveras County General Plan and is under a Williamson Act Contract to limit future development. The parcel is not mapped as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland under the California Department of Conservation Division of Land Resource Protection Farmland Mapping and Monitoring Program because this program does not include Calaveras County.

The parcel is not within any forest land or designated timberland and limited tree resources are present within the mitigation parcel or surrounding area.

Environmental Consequences

b) The project will not convert farmland or conflict with any County zoning. The Project will place an easement on the 41-acres which will permanently maintain the property as agriculture land/open space. The owner's agricultural access road that exists on the parcel will remain available to the owner both during and following construction of the Project. Establishment of the conservation easement will not change the long-term land use of the property which will remain as non-irrigated pastureland and open space and is a compatible land use for surrounding parcels

under Williamson Act contracts. The project will have a less than significant impact on zoning or Williamson Act contracts.

2.1.3 Air Quality

Considering the information included in the Air Quality Technical Memorandum dated January 30, 2020, the following significance determinations have been made: Long-term impacts related to air quality are not expected as a result of the Project. The Project will comply with all federal and state air quality standards. While the Project would contribute to a temporary increase in construction emissions, the Project will adhere to all relevant avoidance and minimization measures from the Caltrans 2018 Standard Specifications and Calaveras County Air Pollution Control District's *Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects*.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Air Quality
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
b) 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?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

2.1.4 Biological Resources

Considering the information included in the Natural Environmental Study—Minimal Impact dated May 2020 the following significance determinations have been made: The Wagon Trail Mitigation Site Project is required by the Biological Opinion issued as part of the Wagon Trail State Route 4 Project; will not result in impacts to Federal fisheries; and no-take of state-listed or candidate species is expected.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Biological Resources
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 Wildlife, United States Fish and Wildlife Service, or National Oceanic and Atmospheric Administration Fisheries?	Less Than Significant with Mitigation
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 Wildlife or United States Fish and Wildlife Service?	Less Than Significant
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact
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?	No Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact
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?	No Impact

Affected Environment

The Wagon Trail Mitigation Site is located along Gillam Road in an unincorporated area of Calaveras County and encompasses about 41 acres on a privately-owned parcel on the Rana Ranch property, which will be placed under a conservation easement. This property was chosen because it is within United States Fish and Wildlife Service Designated Final Critical Habitat for California red-legged frog. Biological surveys on November 12, 2019 identified five different habitat communities present within the Biological Study Area, including annual grassland, riparian corridor, urban, Youngs Creek tributary, and a seasonal wetland. Jurisdictional waters include Youngs Creek, which is an ephemeral creek about .67 acres in size, and a wetland feature about .01 acres in size. Special Status Species that have been identified to have a low to moderate potential for occurrence are the California tiger salamander (*Ambystoma californiense*), the Swainson's hawk (*Buteo swainsoni*), the Crotch bumble bee (*Bombus occidentalis*), and the Western bumble bee (*Bombus occidentalis*). The California tiger salamander inhabits grassland habitat, however the soils within the Biological Study Area are not friable and therefore could not support estivation of the species. The nearest and most recent California Natural Diversity Database occurrence is approximately 1.1 miles northwest of the Biological Study Area and was recorded in 2019. The Swainson's hawk inhabits grassland habitat, and the Biological Study Area contains grassland habitat used for foraging

and contains large oak trees potentially suitable for nesting. Although, there are no California Natural Diversity Database documented occurrences within a 10-mile radius of the Biological Study Area, an online database, eBird, documents two occurrences within 5-miles of the Biological Study Area. The Crotch bumble bee and Western bumble bee are known to occur in central California grasslands, and the Biological Study Area does contain suitable native flowering plants to support both species. The nearest and most recent California Natural Diversity Database documented occurrence of the Crotch bumble bee is located approximately 23 miles east in Arnold and was recorded in 1967. The nearest and most recent California Natural Diversity Database documented occurrence for the Western bumble bee is located approximately 16 miles southeast of the Biological Study Area in Arnold and was recorded in 1967. The Biological Study Area lacks suitable aquatic habitat to support listed fish or Essential Fish Habitat.

Environmental Consequences

a) After a comparison between habitat requirements and the habitat available within the Biological Study Area, two special-status bee species, listed as endangered candidate species under the California Endangered Species Act, have a low to moderate potential of occurring within the Biological Study Area, including the western bumble bee (*Bombus occidentalis*) and the crotch bumble bee (*Bombus occidentalis*). Preliminary surveys following the protocol established for the rusty patch bumblebee (*Bombus affinis*) did not identify either of these species as being present within the mitigation site. Both candidate species of bumblebee are presumed absent from the mitigation site and consultation with the California Department of Fish and Wildlife under Section 2081 of the Fish and Game Code will not be required.

Swainson's hawk (*Buteo swainsoni*), a state threatened species, has a low to moderate potential of occurring within the Biological Study Area. Swainson's hawk was not observed during biological surveys, however due to presence of suitable habitat the species has a low to moderate potential of occurring within the Biological Study Area. There is a grove of mature oak trees adjacent to the Biological Study Area, approximately 1,190 ft. from the proposed pond location, where heavy machinery will be operated. Additionally, there is one oak (*Quercus wislizeni*) tree approximately 340 feet west of the proposed pond location. Swainson's hawks typically return to the same nest every year, and raptor nests were not observed during biological surveys. An Incidental Take Permit is not proposed for this species.

The California tiger salamander (*Ambystoma californiense*) is considered to have a low to moderate potential of occurring within the Project area. The species was initially presumed absent from the Project area because all regional occurrences of the species were located at least 5 miles west of the Project area at an average elevation of 600 feet below the Project area and the Project was assumed to be outside of the species' local range. A new occurrence of the California Tiger Salamander about 1.4 miles north of the Project area was documented in December of 2019 and uploaded to California Natural Diversity Database in February 2020. In light of this new occurrence, presence of the species cannot be completely ruled out. With the inclusion of avoidance and minimization measures, the Project is not expected to result in take of California Tiger Salamanders. An Incidental Take Permit is not proposed for this species.

Mitigation measures **BIO-6** through **BIO-11** will be implemented to reduce impacts on species identified as a candidate, sensitive, or special-status species to less than significant.

b) Project impacts include the modification of about 476 linear feet, or 0.09 acre, of the Youngs Creek tributary that will be converted into pond habitat. The hydrological connection of the Youngs Creek tributary will remain intact. An existing creek crossing will allow construction equipment and personnel to access both sides of the creek without impacting the water feature. No other permanent or temporary impacts to jurisdictional waters are expected. Proposed pond creation will result in an increase in habitat values associated with the Youngs Creek tributary and will not result in significant impacts to this resource.

Avoidance and minimization measures **BIO-1** through **BIO-5** will be implemented as standard construction best practices to protect water quality.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be incorporated to ensure compliance with Best Management Practices and to avoid, minimize, or mitigate impacts.

BIO-1—Prior to the start of construction within the Project limits, seasonal wetland habitat must be marked with Environmentally Sensitive Area high visibility orange fencing in areas that are proposed to be avoided.

BIO-2—Prior to the start of construction, environmental awareness trainings will be given to all construction personnel by the Project biologist to brief them on general water quality compliance, Project limit boundaries and any special-status species that have potential to occur onsite. All personnel will be required to sign a form stating attendance of the environmental awareness training.

BIO-3—Contract specifications will include the following Best Management Practices, where applicable:

- a. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan;
- b. Oil or other petroleum products, or any other substances that could be hazardous to aquatic life must be prevented from contaminating the soil or entering surface waters; and,
- c. Any debris from construction must be taken to an approved disposal site.

BIO-4—To conform to water quality requirements, the following measure will be implemented into the Project:

- a. Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants shall be a minimum of 100 ft from wetland habitat and the ephemeral creek. Any necessary equipment washing shall occur where the water cannot flow into the wetland or ephemeral creek. A spill prevention and clean-up plan will be prepared for the Project.

BIO-5—Construction equipment shall not drive through Youngs Creek tributary except where needed for habitat enhancements to occur. An existing culvert crossing located about 670 linear feet downstream from the proposed pond will allow access for construction equipment.

BIO-6—A minimum 100-foot no-disturbance buffer for songbirds and a 500-foot buffer for raptors must be established around any active nests. The contractor must immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. If required, a reduced buffer may be used if approved by the California Department of Fish and Wildlife on a case-by-case basis.

BIO-7—A qualified biologist(s) will conduct a visual encounter preconstruction survey of the habitat enhancement area for California tiger salamanders no more than 14 days prior to the start of groundbreaking or other general construction activities that could affect the species. The survey will pay attention to detecting any burrows that could be used as refugia by the California tiger salamander, as well as any potential depressions that may become inundated. If burrows are discovered, they will be flagged or otherwise marked and avoided by at least 50 feet. If the burrows cannot be avoided, Caltrans will contact the United States Fish and Wildlife Service to discuss additional measures that may be needed, such as using a scope to see inside the burrows.

BIO-8—Excavation of the new pond will be scheduled to occur within the dry season (about June 1 to October 31) when the California tiger salamander is more likely to be underground and not actively dispersing to and from aquatic habitat to breed.

BIO-9—No excavation or ground disturbing activities will be conducted if: 1) it is raining, 2) there is a greater than 70 percent chance of rain based on the National Oceanic and Atmospheric Administration's National Weather Service forecast on any given work day, or 3) a rain event greater than 0.25 inch has occurred within the past 48 hours. Prior to resuming work following a rain event, the qualified biologist(s) will conduct a new preconstruction survey of the work area for the California tiger salamander.

BIO-10—Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-11—If the Project requires vegetation removal, the removal should occur outside of the nesting bird season (February 1 to August 31), if possible. If vegetation removal is to take place during the nesting season, a preconstruction nesting bird survey must be conducted within seven days prior to vegetation removal. Within two weeks of the nesting bird survey, all vegetation cleared during these surveys must be removed.

2.1.5 Cultural Resources

Considering the information included in the Historic Property Survey Report, the Archaeological Survey Report, and the Finding of No Adverse Effect dated April-June 2020, the following significance determinations have been made: A finding of No Adverse Effect without Standard Conditions imposed is appropriate for this Project. The Finding of No Adverse Effect was sent the State Historic Preservation Officer on July, 20, 2020 and the State Historic Preservation Officer concurred with the Finding of No Adverse Effect on August 12, 2020.

A Native American cultural resource (P-05-003919/CA-CAL-002313) was identified and recorded within the boundary of the proposed conservation easement area. The resource consists of a bedrock milling station and is not located within the area of the proposed habitat enhancements. This resource is assumed eligible for listing on the National Register of Historic Places and the California Register of Historical Resources. As a result of this assumption of eligibility, the resource is considered a historic property/historical resource for the purposes of this Project only. No other cultural resources were identified within the conservation easement area.

Because the bedrock milling station is not within the proposed habitat enhancement area, it would not be impacted by any of the construction required to implement the habitat enhancements. As noted in the Project Description, one of the goals of the conservation easement will be to include restrictions and/or conditions that will permanently prohibit land development and alteration or modification to the topography within and next to the recorded resource boundary, in perpetuity. Therefore, establishment of the easement will protect this resource, and all the characteristics which qualify it as a historic property/historical resource, from all direct and indirect alteration and/or destruction throughout the duration of the easement. While cattle grazing and rangeland activities will continue to occur on the property, these activities have occurred historically through to modern times and have not impacted the resource. Therefore, continuance of these activities is not expected to have any impact on this resource. Because the Project will have no impact on the resource, no avoidance, minimization, and/or mitigation measures are required.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Cultural Resources
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

2.1.6 Energy

Considering the lack of energy resources present in the mitigation site, the following significance determinations have been made. The Wagon Trail Mitigation Site Project will have no impact on energy resources nor will conflict with energy efficiency.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Energy
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction or operation?	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

2.1.7 Geology and Soils

Considering the information included in the Limited Geotechnical Investigation of April 2020 and the Paleontological Memorandum of June 2020, the following significance determinations have been made: The Wagon Trail Mitigation Site Project is feasible from a geotechnical viewpoint.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Geology and Soils
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: 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.	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: ii) Strong seismic ground shaking?	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: iii) Seismic-related ground failure, including liquefaction?	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	Less Than Significant Impact

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Geology and Soils
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?	Less Than Significant Impact
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?	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

Affected Environment

The mitigation site is located within the Sierra Nevada geomorphic province with the Haupt Creek Fault, an inactive fault, crossing the northeastern portion of the site, about 750 feet west of the proposed pond site. The area consists of Mehrten Formation with about the southwestern one-third of the site underlain primarily by Paleozoic-aged metavolcanic rock and the northeastern two-thirds underlain by lahar material (hard volcanic mudflow breccia) in gently rolling, west-draining topography. Eight exploratory test pits were performed to depths ranging from about 1 to 5 feet with relatively undisturbed and disturbed soil samples obtained from the test pits. Seepage occurred in five of the test pits at depths ranging from less than 1 foot to about 3 feet. Infiltration tests were conducted at three locations with the infiltration rates ranging from 0.25 to 1.0 inch per hour. The test pits and infiltration test holes were backfilled and laboratory tests on the selected soil samples were conducted to determine pertinent geotechnical parameters. Based on the topographic setting, static groundwater beneath the site may be present at a seasonally variable depth on the order of 50 feet or greater.

Environmental Consequences

In response to question b): Light to moderate excavation efforts with conventional, heavy-duty grading equipment will occur. Pre-ripping with a large dozer will likely be required for excavations that extend more than about 2 feet into Mehrten Formation lahar and large excavators or rock trenchers will likely be required for trenching. These activities will have a less than significant impact on soil erosion and the loss of topsoil.

In response to question c): The pond is intended to impound water and, therefore, will include construction of an embankment up to about 7 feet high. Since the magnitude of infiltration is excessive, a pond liner or liner material will be used to reduce infiltration. The Project will carefully assess if the pond embankment can be made with onsite soil or if import soil will be required. These activities could affect the stability of the soil; however, the potential of landslide, lateral spreading, subsidence, liquefaction, or collapse is less than significant.

2.1.8 Greenhouse Gas Emissions

Considering the information included in the Climate Change Memorandum dated April 2020, the following significance determinations have been made: While the Project will result in greenhouse gas emissions during construction, it is expected that the Project will not result in a Less Than Significant increase in operational greenhouse gas emissions.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Greenhouse Gas Emissions
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less Than Significant Impact

Affected Environment

The Air Resources Board sets regional targets for California's 18 Metropolitan Planning Organizations to use in their Regional Transportation Plan/Sustainable Communities Strategy to plan future projects that will cumulatively achieve greenhouse gas reduction goals. Targets are set at a percent reduction of passenger vehicle greenhouse gas emissions per person from 2005 levels. Calaveras County is not a Metropolitan Planning Organization and therefore does not have regional targets established and is not required to produce a Sustainable Communities Strategy under Senate Bill 375. However, the Calaveras County Regional Transportation Plan and the updated General Plan (2019) Transportation and Circulation element and Conservation and Open Space element contain goals and policies related to greenhouse gases in the project area. To date, the county has not implemented a climate action plan (California Air Resources Board 2019).

The proposed project is within the jurisdiction of the Calaveras County Council of Governments. The Calaveras County Regional Transportation Plan Update 2019 identifies objectives to enhance sensitivity to the environment in all transportation decisions, including:

- Objective 3A: Promote transportation policies and projects that support a sustainable environment, particularly preservation of open space and agriculture.
- Objective 3B: Promote and design transportation projects that will reduce greenhouse gas emissions and thereby positively contribute to meeting statewide global warming emissions targets set in the Global Warming Solutions Act of 2006 (Assembly Bill 32).

Environmental Consequences

Operational Emissions

a) The purpose of the proposed project is to enhance, restore, and protect California red-legged frog habitat by constructing a pond, establishing riparian and oak woodland habitat, and conserving about 2,700 linear feet of the Youngs Creek tributary within the easement area. This project will not modify any roadway and will not increase vehicle capacity. Operation of the proposed project may require one or two vehicle trips annually for site monitoring, which would result in a minimal increase in operational greenhouse gas emissions. Because the project would not increase the number of travel lanes on any roadway, no significant increase in vehicle miles traveled would occur as result of project implementation. While some greenhouse gas emissions during the construction period would be unavoidable, no increase in operational greenhouse gas emissions is expected.

Construction Emissions

b) Construction greenhouse gas emissions would result from material processing, onsite construction equipment, and 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.

Construction emissions were estimated using the latest Sacramento Metropolitan Air Quality Management District's Road Construction Model (<http://www.airquality.org/ceqa/>, Version 9.0.0). Construction-related emissions for the proposed project are presented in Table 1. The emissions presented are based on the best information available at the time of calculations. The emissions represent the peak daily construction emissions that would be generated by construction of the proposed project.

Table 1. Construction Emissions for Mitigation Site Project

Activity and Phase	Carbon Dioxide (tons per phase)
Grubbing and Land Clearing	0.0
Grading and Excavation	2.5
Drainage, Utilities, and Sub-Grade	31.2
Paving	0.0
Maximum Daily (number of pounds per day)	31.2
Project Total (tons per construction project)	38.0

Construction equipment necessary for the Project is expected to include, but not be limited to, an excavator, a backhoe, large trucks and hand tools for removing and planting vegetation. Existing dirt roads on the easement would allow access for construction equipment and personnel. Construction is expected to begin in 2021 and will require about four months.

The Project will adhere to all relevant avoidance and minimization measures from the Caltrans 2018 Standard Specifications and Calaveras County Air Pollution Control

District's Guidelines for Assessing and Mitigating Air Quality Impacts of Land Use Projects. All construction contracts include Caltrans Standard Specifications Section 7-1.02A and 7 1.02C, Emissions Reduction, which require contractors to comply with all laws applicable to the project and to certify they are aware of and will comply with all Air Resource Board emission reduction regulations; and Section 14-9.02, Air Pollution Control, which requires contractors to comply with all air pollution control rules, regulations, ordinances, and statutes. Certain common regulations, such as equipment idling restrictions, that reduce construction vehicle emissions also help reduce greenhouse gas emissions.

While the proposed project will result in greenhouse gas emissions during construction, it is expected that the project will not result in any increase in operational greenhouse gas emissions. The proposed project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. With implementation of standard construction greenhouse gas reduction measures, the impact would be less than significant.

Caltrans is firmly committed to implementing measures to help reduce greenhouse gas emissions.

2.1.9 Hazards and Hazardous Materials

Considering the information included in the Hazardous Waste Initial Site Assessment dated March 2020, the following significance determinations have been made: No evidence of recognized environmental conditions or activity and use limitations within the Project boundaries were found, except potential serpentine rock. Phase 2 investigations were conducted for naturally occurring asbestos and the results were negative; no naturally occurring asbestos was detected within the Project area (Naturally Occurring Asbestos Site Investigation Report, April 2020).

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Hazards and Hazardous Materials
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No Impact
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?	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	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?	No Impact

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Hazards and Hazardous Materials
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 or excessive noise for people residing or working in the Project area?	No Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

2.1.10 Hydrology and Water Quality

Considering the information included in the Water Quality Technical Memorandum dated February 2020, the following significance determinations have been made: Two jurisdictional water features were found within the Project area, including Youngs Creek tributary and one wetland feature.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less Than Significant Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: (i) result in substantial erosion or siltation on- or off-site;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	No Impact
(iii) 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; or	No Impact
(iv) impede or redirect flood flows?	Less than Significant Impact

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Hydrology and Water Quality
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

Affected Environment

A single jurisdictional stream channel identified as an unnamed tributary to Youngs Creek was observed within the proposed conservation area. An existing creek crossing will allow construction equipment and personnel to access both sides of the creek without impacting the water feature. No other permanent or temporary impacts to jurisdictional waters are expected. One seasonal wetland is present in the eastern portion of the Project area. On November 12, 2019 a wetland delineation, consistent with the United States Army Corps of Engineers *Arid West Wetland Delineation Manual*, was completed and delineated using Environmental Service Research Institute Collector and a Trimble R1 Global Navigation Satellite System Receiver. Vegetation within the wetland includes curly dock (*Rumex crispus*), black medick (*Medicago lupulina*) and bermuda grass (*Cynodon dactylon*). However, this habitat type has been continuously disturbed by cattle grazing. The seasonal wetland is about 0.01 acre in size.

Additionally, one surface water resource is present within the Project area, including about 2,700 linear feet of the Youngs Creek tributary. This tributary is classified as an ephemeral creek, meaning that water flow only occurs in immediate response to rain and will continue to flow in the following days or weeks, but does not receive a constant water supply. Water within the tributary flows from east to west through the Project area. The stream ranges in width from about 3 feet to 19 feet. The creek bed is composed of sandy loam sediment and contains pebble and cobble gravel substrate. There is about 0.67 acre of the Youngs Creek tributary within the Project area.

Environmental Consequences

a) A small portion of the Youngs Creek tributary will be modified to support the purpose of the Project. Effects to this stream channel include the conversion of about 476 linear feet, or 0.09 acre, of the Youngs Creek tributary to pond habitat. The hydrological connection of Youngs Creek tributary will remain intact. No impacts to the wetland are anticipated. Construction activities and associated equipment will temporarily affect surface water; however, the impacts will be less than significant and the Best Management Practices below will be implemented.

In response to question c, iv): The Project would involve constructing a permanent berm within the channel to impound a small section of the Youngs Creek tributary; however, long-term impacts related to water quality, within the Youngs Creek tributary, are not expected as a result of the Project and construction activities will occur during the dry season that will result in impacts being less than significant.

Avoidance, Minimization, and/or Mitigation Measures

Temporary and permanent impacts to jurisdictional waters will be avoided through the implementation of Best Management Practices listed below and in Section 1.5 of this document.

WQ-1—Equipment will be checked daily for leaks and will be well maintained to prevent lubricants and any other deleterious materials from entering aquatic resources. Prior to operating equipment near aquatic resources, all such equipment will be free of any external petroleum products, hydraulic fluid, and coolants. Wash water will not be discharged to any water body without pretreatment and all wash activities will take place outside of the floodplain.

WQ-2—The Project would adhere to all measures listed in permits obtained from all required regulatory agencies.

WQ-3—Based on initial Project design, ground disturbance will be under 1 acre. As a result, a Water Pollution Control Plan will be developed and implemented to ensure stormwater is properly handled during construction.

2.1.11 Land Use and Planning

Considering the Project does not conflict with any plans or policies adopted for the purpose of avoiding an environmental effect and is consistent with the land use designations within the Calaveras County General Plan (2019), the following significance determinations have been made: no impact will physically divide an established community or cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Land Use and Planning
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact

2.1.12 Mineral Resources

Considering the information included in the Calaveras County General Plan (2019), which states there are no lands designated as mineral areas of regional or statewide significance, per the State Mining and Geology Board, as of 2013, the following significance determinations have been made: there would be no adverse impacts on the availability of a known mineral resource or of a locally-important mineral resource recovery site.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Mineral Resources
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?	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?	No Impact

2.1.13 Noise

Considering the information included in the Noise Quality Technical Memorandum dated February 2020, the following significance determinations have been made: No adverse noise impacts from construction are expected because construction would be conducted in accordance with Caltrans Standard Specifications Section 14-8.02 and with local noise policies. Construction noise would be short-term and intermittent. Construction is expected to be completed within a 4-month window.

Question—Would the Project result in:	California Environmental Quality Act Significance Determinations for Noise
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	No Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact
c) For a project located within the vicinity of a private airstrip or 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?	No Impact

2.1.14 Population and Housing

Considering the scope and location of the Project, the following significance determinations have been made: The Wagon Trail Mitigation Site Project will have no impact on the population growth or housing in the area.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Population and Housing
a) Induce substantial unplanned 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)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

2.1.15 Public Services

Considering the rural setting of the mitigation site, the following significance determinations have been made. The Wagon Trail Mitigation Site Project will have no impacts to any of the public services listed below.

Question:	California Environmental Quality Act Significance Determinations for 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?	No Impact
Police protection?	No Impact
Schools?	No Impact
Parks?	No Impact
Other public facilities?	No Impact

2.1.16 Recreation

The Wagon Trail Mitigation Site Project does not affect any parks or recreational facilities. Considering the rural setting of the mitigation site, the following significance determinations have been made.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for 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?	No Impact
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?	No Impact

2.1.17 Transportation

The Wagon Trail Mitigation Site Project will have no effect on the transportation infrastructure or traffic in the Project vicinity. Considering the rural setting of the mitigation site and the fact that the proposed project will not affect any roadway or transportation facility, the following significance determinations have been made.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Transportation
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact
b) Conflict or be inconsistent with California Environmental Quality Act Guidelines section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

2.1.18 Tribal Cultural Resources

Considering the information included in the Sacred Lands File, Central California Information Center, and the National Register of Historic Places and the California Register of Historical Resources, the following significance determinations have been made: no impact to Tribal Cultural Resources will occur. A letter was mailed to the Native American Heritage Commission requesting a search of the Sacred Lands File. The Native American Heritage Commission responded stating that a search of the Sacred Lands File returned negative results for the presence of known Native American cultural resources. Tribal Government consultation letters were also mailed to tribes geographically associated with the Project area, pursuant to Assembly Bill 52, to gather information about potential Tribal Cultural Resources which may be impacted by the Project. A field survey and a search of files on record at the Central

California Information Center were also conducted to identify any previously unknown cultural resources.

A Native American cultural resource (P-05-003919/CA-CAL-002313) was identified and recorded within the boundary of the proposed conservation easement area. The resource consists of a bedrock milling station and is not located within the area of the proposed habitat enhancements. This resource is assumed eligible for listing on the National Register of Historic Places and the California Register of Historical Resources. As a result of this assumption of eligibility, the resource is considered a Tribal Cultural Resource, for the purposes of this Project only. No other Native American cultural resources were identified within the conservation easement area.

The resource is not within the proposed habitat enhancement area and would therefore not be impacted by any of the construction required to implement the habitat enhancements. As noted in the Project Description, one of the goals of the conservation easement will be to include restrictions and/or conditions that will permanently prohibit land development and alteration or modification to the topography within and next to the recorded resource boundary. Therefore, establishment of the easement will protect this resource, and all the characteristics which qualify it as a historic property/historical resource, from all direct and indirect alteration and/or destruction throughout the duration of the easement. While cattle grazing and rangeland activities will continue to occur on the property, these activities have occurred historically through to modern times and have not impacted the resource. Therefore, continuance of these activities is not expected to have any impact on this resource.

This resource and the proposed habitat enhancement activities and conservation easement were discussed with all interested tribes and the tribes agree that the Project will not result in the alteration or destruction of the resource. Therefore, no impacts to Tribal Cultural Resources were identified and no avoidance, minimization, and/or mitigation measures are required.

Would the Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question:	California Environmental Quality Act Significance Determinations for Tribal Cultural Resources
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	No Impact.

Question:	California Environmental Quality Act Significance Determinations for Tribal Cultural Resources
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

2.1.19 Utilities and Service Systems

The Wagon Trail Mitigation Site Project will have no impact on the utilities and service systems. Considering the rural setting of the mitigation site and that the proposed project will not affect any public utilities or service systems, the following significance determinations have been made.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Utilities and Service Systems
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
c) 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?	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

2.1.20 Wildfire

The Wagon Trail Mitigation Site Project is in a state responsibility area classified as a moderate fire hazard severity zone.

The project will have no impact to state responsibility areas classified as very high fire severity zone. Considering that the project is not located in a state responsibility area classified as a moderate fire hazard severity zone, the following significance determinations have been made.

Question—Would the Project:	California Environmental Quality Act Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

2.1.21 Mandatory Findings of Significance

Question:	California Environmental Quality Act Significance Determinations for Mandatory Findings of Significance
a) Does the Project have the potential to substantially 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?	Less than Significant with Mitigation

Question:	California Environmental Quality Act Significance Determinations for Mandatory Findings of Significance
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)?	No Impact
c) Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

In response to question a): As discussed in Section 2.1.4, construction of the proposed project may result in impacts to the special-status species. With the inclusion of preconstruction avoidance surveys, construction timing windows, and worker trainings included in measures BIO-6 through BIO-9, these potentially significant impacts will be reduced to less than significant levels.

Affected Environment

As discussed in Section 2.1.4, The Wagon Trail Mitigation Site sits along Gillam road in an unincorporated area of Calaveras County. The mitigation site is roughly 41 acres on a privately owned parcel on the Rana Ranch property and will be placed under a conservation easement. The mitigation site includes five habitats: annual grassland, riparian corridor, urban, Youngs Creek tributary, and a seasonal wetland. Youngs Creek and the seasonal wetland are jurisdictional waters. There are four special status species that have been identified to have a low to moderate potential to occur within the area, including the western bumble bee, the crotch bumble bee, the Swainson's hawk, and the California tiger salamander. All four species reside in grassland habitat, with the Swainson's hawk utilizing the habitat for foraging purposes. The Biological Study Area does not include suitable aquatic habitat to support listed fish or Essential Fish Habitat.

Environmental Consequences

As discussed in Section 2.1.4, Preliminary surveys following the protocol established for the Rusty Patch Bumblebee did not identify either the western bumble bee or the crotch bumble bee as being present within the mitigation site. Both candidate species of bumblebee are presumed absent from the mitigation site and consultation with the California Department of Fish and Wildlife under Section 2081 of the Fish and Game Code will not be required.

The Swainson's hawk, a state threatened species, despite having suitable habitat present within the mitigation site, has a low to moderate potential to occur within the

mitigation site considering no species or nests were observed during biological surveys.

The California tiger salamander was initially presumed absent from the Project Area, but due to the recent occurrence dated December of 2019 located 1.4 miles north of the Project area, the species cannot be ruled out. Mitigation measures **BIO-6** through **BIO-11** will be implemented to reduce impacts on species identified as a candidate, sensitive, or special-status species to less than significant.

Project impacts include the modification of about 476 linear feet, or 0.09 acre, of the Youngs Creek tributary that will be converted into pond habitat. The hydrological connection of the Youngs Creek tributary will remain intact. An existing creek crossing will allow construction equipment and personnel to access both sides of the creek without impacting the water feature. No other permanent or temporary impacts to jurisdictional waters are expected. Proposed pond creation will result in an increase in habitat values associated with the Youngs Creek tributary and will not result in significant impacts to this resource.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be incorporated to ensure compliance with Best Management Practices and to avoid, minimize, or mitigate impacts.

BIO-1—Prior to the start of construction within the Project limits, seasonal wetland habitat must be marked with Environmentally Sensitive Area high visibility orange fencing in areas that are proposed to be avoided.

BIO-2—Prior to the start of construction, environmental awareness trainings will be given to all construction personnel by the Project biologist to brief them on general water quality compliance, Project limit boundaries and any special-status species that have potential to occur onsite. All personnel will be required to sign a form stating attendance of the environmental awareness training.

BIO-3—Contract specifications will include the following Best Management Practices, where applicable:

- a. The Project specifications will require the contractor to operate under an approved spill prevention and clean-up plan.
- b. Oil or other petroleum products, or any other substances that could be hazardous to aquatic life must be prevented from contaminating the soil or entering surface waters; and,
- c. Any debris from construction must be taken to an approved disposal site.

BIO-4—To conform to water quality requirements, the following measure will be implemented into the Project:

- a. Vehicle maintenance, staging and storing equipment, materials, fuels, lubricants, solvents, and other possible contaminants shall be a minimum of 100 ft from wetland habitat and the ephemeral creek. Any necessary equipment washing

shall occur where the water cannot flow into the wetland or ephemeral creek. A spill prevention and clean-up plan will be prepared for the Project.

BIO-5—Construction equipment shall not drive through Youngs Creek tributary except where needed for habitat enhancements to occur. An existing culvert crossing located about 670 linear feet downstream from the proposed pond will allow access for construction equipment.

BIO-6—A minimum 100-foot no-disturbance buffer for songbirds and a 500-foot buffer for raptors must be established around any active nests. The contractor must immediately stop work in the nesting area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. If required, a reduced buffer may be used if approved by the California Department of Fish and Wildlife on a case-by-case basis.

BIO-7—Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-8—If the Project requires vegetation removal, the removal should occur outside of the nesting bird season (February 1 to August 31), if possible. If vegetation removal is to take place during the nesting season, a preconstruction nesting bird survey must be conducted within seven days prior to vegetation removal. Within two weeks of the nesting bird survey, all vegetation cleared during these surveys must be removed.

BIO-9—A qualified biologist(s) will conduct a visual encounter preconstruction survey of the habitat enhancement area for California tiger salamanders no more than 14 days prior to the start of groundbreaking or other general construction activities that could affect the species. The survey will pay attention to detecting any burrows that could be used as refugia by the California tiger salamander, as well as any potential depressions that may become inundated. If burrows are discovered, they will be flagged or otherwise marked and avoided by at least 50 feet. If the burrows cannot be avoided, Caltrans will contact the United States Fish and Wildlife Service to discuss additional measures that may be needed, such as using a scope to see inside the burrows.

BIO-10—Excavation of the new pond will be scheduled to occur within the dry season (about June 1 to October 31) when the California tiger salamander is more likely to be underground and not actively dispersing to and from aquatic habitat to breed.

BIO-11—No excavation or ground disturbing activities will be conducted if: 1) it is raining, 2) there is a greater than 70 percent chance of rain based on the National Oceanic and Atmospheric Administration's National Weather Service forecast on any given work day, or 3) a rain event greater than 0.25 inch has occurred within the past 48 hours. Prior to resuming work following a rain event, the qualified biologist(s) will conduct a new preconstruction survey of the work area for the California tiger salamander.

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

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www.dot.ca.gov



Making Conservation
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November 2019

NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page:
<https://dot.ca.gov/programs/business-and-economic-opportunity/title-vi>.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Business and Economic Opportunity, at 1823 14th Street, MS-79, Sacramento, CA 95811; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

A blue ink signature of Toks Omishakin, consisting of a stylized 'T' followed by a series of loops and a horizontal line.

Toks Omishakin
Director

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

List of Technical Studies Bound Separately (Volume 2)

The technical studies, reports, and documents listed below are included in Volume 2 of the Wagon Trail Mitigation Site Project Initial Study

- Scenic Resource Evaluation
- Air Quality Technical Memorandum
- Natural Environment Study—Minimal Impact
- Historic Property Survey Report-Finding of No Adverse Effect
- Limited Geotechnical Investigation
- Climate Change Memorandum
- Hazardous Waste Initial Site Assessment
- Naturally Occurring Asbestos Site Investigation Report
- Water Quality Technical Memorandum
- Noise Quality Technical Memorandum
- Paleontology Memorandum

To obtain a copy of one or more of these technical studies/reports or the Initial Study, please send your request to:

Jennifer Lugo, Branch Chief
California Department of Transportation,
Central Region Environmental
855 M Street, Suite 200
Fresno, CA 93721

You may also send your request via email to: jennifer.lugo@dot.ca.gov
or call: (559) 779-6612

Please provide the following information in your request:

Project title
General location information
District number-county code
Project ID number