State Route 140 Slope Repair

On State Route 140, at Post Mile 32.2, in Mariposa County
10-MPA-140-Post Mile 32.2
EA 10-0Y340/ Project ID: 1014000182
State Clearinghouse Number 2016031048

Supplemental Initial Study with Mitigated Negative Declaration



Prepared by the
State of California Department of Transportation

January 2021

General Information About This Document

Document prepared by: Jonathan Coley, Associate Environmental Planner

This section has been updated since the circulation of the draft environmental document. The California Department of Transportation (Caltrans) has prepared this Supplemental Initial Study with Mitigated Negative Declaration for the project in Mariposa County. Caltrans is the lead agency under the California Environmental Quality Act (CEQA). The document tells you why the project is being proposed, what alternatives have been considered for the project, how the existing environment could be affected by the project, the potential impacts of each of the alternatives, and the proposed avoidance, minimization, and/or mitigation measures.

The Supplemental Initial Study with Proposed Mitigated Negative Declaration circulated for public review and comment for 30 days from December 24, 2020 to January 22, 2021. Caltrans received no comments during the public circulation and comment period, as noted in Appendix C, which has been added since the document circulation. In the rest of the document, language has been added to indicate where a change has been made since the circulation of the draft supplemental environmental document. Minor editorial changes and clarifications have not been so indicated.

Please contact C. Scott Guidi at 209-990-5719 or by email at Scott.Guidi@dot.ca.gov if you would like a printed version or compact disc of this document or related technical studies to be sent to your home address. This document may be downloaded at the following website: https://dot.ca.gov/caltrans-near-me/district-10.

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: C. Scott Guidi, Central Region Environmental, 1976 Doctor Martin Luther King Junior Boulevard, Stockton, California 95295; phone number 209-990-5719 (Voice), or use the California Relay Service 1-800-735-2929 (TTY), 1-800-735-2929 (Voice), or 711.

State Clearinghouse Number 2016031048
10-MPA-140-32.2
Project ID 1014000182

Repair the failed slope under an 84-inch reinforced concrete pipe culvert next to the eastbound lane of State Route 140 at post mile 32.2 in Mariposa County

SUPPLEMENTAL INITIAL STUDY with Mitigated Negative Declaration

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

THE STATE OF CALIFORNIA
Department of Transportation

John Luchetta
Office Chief, Central Region
Environmental Central Coast Office
California Department of Transportation

January 21, 2021
Date

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Mitigated Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2016031048

District-County-Route-Post Mile: 10-MPA-140-32.2

EA/Project Identification Number: 10-0Y340/1014000182

Project Description

The California Department of Transportation (Caltrans) will repair the failed slope under and around an 84-inch reinforced concrete pipe culvert outlet apron at post mile 32.2 on eastbound State Route 140 in Mariposa County. Crews will stop further erosion at the site by backfilling the eroded areas and placing rock slope protection with rocks of adequate size at a 39-degree slope.

Determination

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

The project will have a less than significant effect on greenhouse gas emissions.

On the basis of this study, it is determined that the project, with the incorporation of the identified mitigation measures, will have a less than significant effect on biological resources for the following reasons:

- Compensatory mitigation for impacts to Waters of the United States and Waters of the State will include monetary compensation through an in-lieu fee program and will lessen potential impacts to less than significant.

John Luchetta
Office Chief, Central Region
Environmental Central Coast Office
California Department of Transportation

January 21, 2021
Date

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Chapter 1 Proposed Project

1.1 Introduction

The State Route 140 Slope Repair project lies within Rancheria Creek at post mile 32.2 on State Route 140, about 2 miles south of the community of Briceburg in Mariposa County. See Figures 1-1 and 1-2. According to the County of Mariposa General Plan, the land use designation of the project area is natural resources. The surrounding land uses within the project vicinity do not include residential, industrial, or other developments.

The project site consists of Rancheria Creek, an easterly flowing seasonal stream, with vegetation along the downhill easterly slope consisting of live oak and foothill pine. The area along the creek is dry and rocky, with a steep slope with little soil. The shrub layer consists of a sparse cover of poison oak and manzanita. No wetlands are present.

Water from numerous years of spring and fall runoff through the 84-inch culvert at post mile 32.2 has caused substantial erosion and loss of soil due to weakening of the once-stable support underneath. The undercutting was caused by turbulent water, which can cause scour. The scour occurred slowly over time and eventually created a huge scour area. Some large areas of scour also could have occurred during a large storm or by numerous storms. Due to the scour of the underlying earth material, the upper embankment slopes adjacent to the wing walls of the culvert have been undermined.

To correct the erosion, Caltrans will repair the failed slope under and around the 84-inch reinforced concrete pipe culvert outlet apron. Crews will stop the erosion at the site by backfilling with rock slope protection (with rocks of adequate size) at a 39-degree slope.

On May 31, 2016, the final environmental document for the project found a Mitigated Negative Declaration was the appropriate finding for this repair work. At that time, the Mitigated Negative Declaration identified a gabion wall as the preferred construction method. The gabion wall was proposed for construction to restore the failed slope and stop the erosion from the culvert. The preferred construction method was commented on by the public and approved by the project development team.

The 2016 Mitigated Negative Declaration determined the project would not have any effects on aesthetics, agricultural and forest resources, air quality, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems. The 2016 Mitigated Negative Declaration

determined the project would have a less than significant effect on biological resources and Waters of the United States, with the implementation of avoidance, minimization, and mitigation measures.

When the project progressed to the Plans, Specifications, and Estimate phase, it was determined the gabion wall alternative was not a feasible repair method. Later discussions with the project development team determined that rock slope protection was the appropriate construction method.

This Supplemental Initial Study with Mitigated Negative Declaration will discuss the potential effects of the rock slope protection repair method to biological resources, including Waters of the United States, and greenhouse gas emissions. All the elements of the original 2016 Initial Study with Mitigated Negative Declaration (final environmental document) remain valid unless they are re-addressed here in this supplemental environmental document and will be referenced within this document.

1.2 Purpose and Need

The purpose and need statement for the State Route 140 Slope Repair project has not changed since the approval of the 2016 final environmental document.

1.2.1 Purpose

The purpose of this project is to prevent further erosion of the slope and protect the highway and associated culvert.

1.2.2 Need

The need for this project is to restore the integrity of the reinforced concrete pipe culvert, which removes water and runoff, and to prevent further erosion at the outlet apron and wing wall.

1.3 Project Description

Caltrans proposes to repair the failed slope under and around an 84-inch reinforced concrete pipe culvert outlet apron at post mile 32.2 on eastbound State Route 140 in Mariposa County. The repair method will involve backfilling the eroded slope, using rock slope protection with rocks of adequate size at a 39-degree slope. Rocks could be imported from the Ferguson Rockslide project and stored within the state's right-of-way.

Figure 1-1 Project Vicinity Map

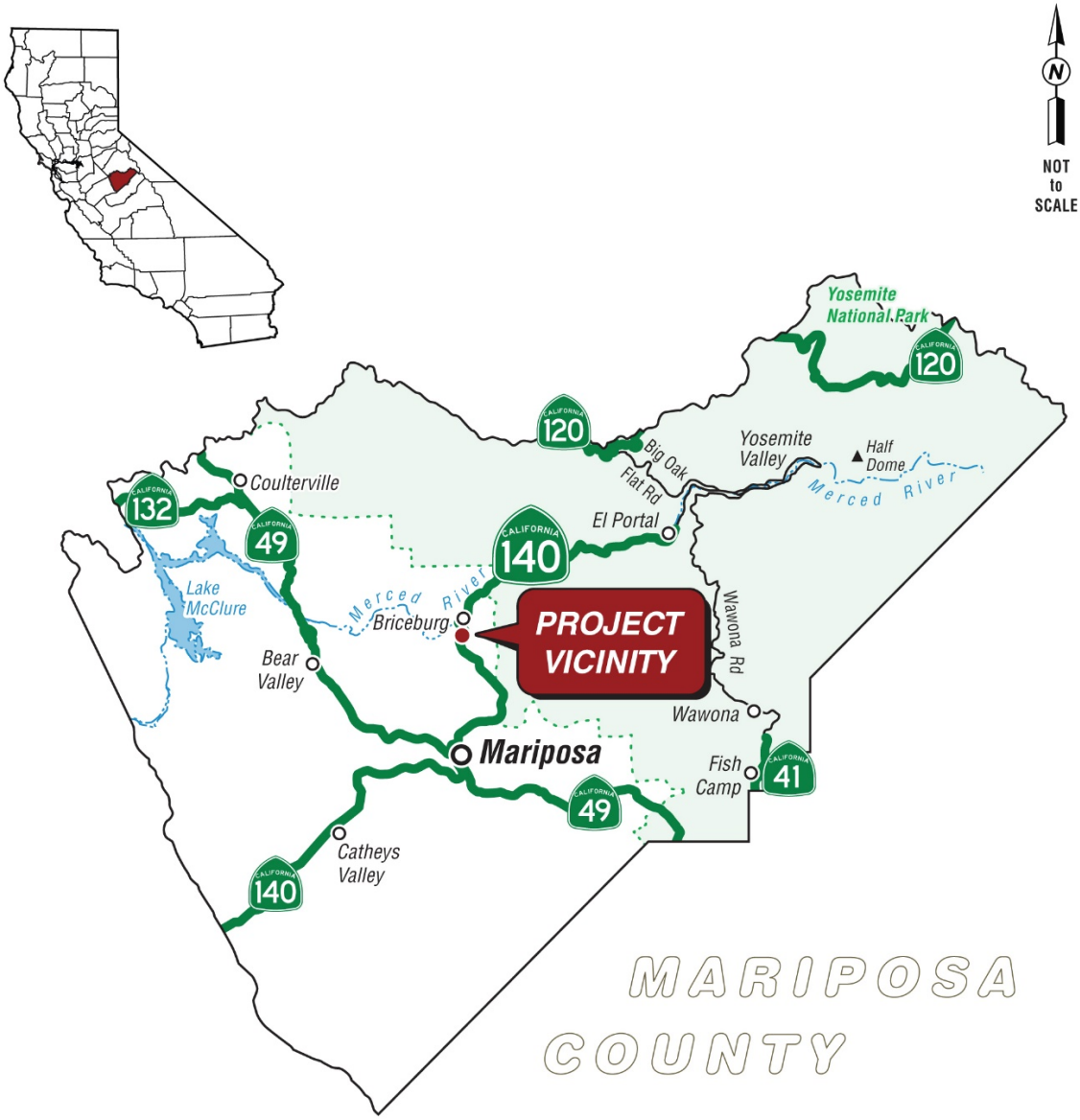
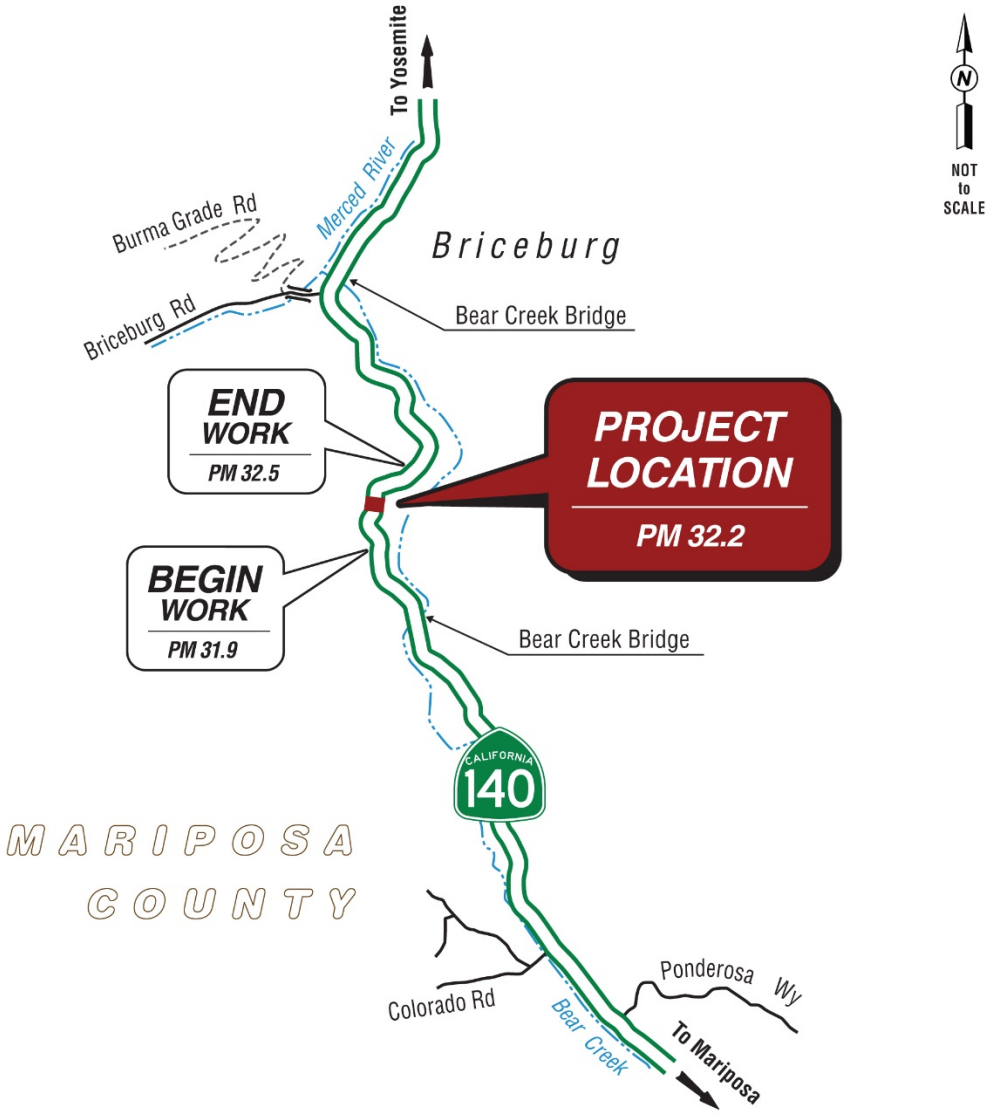


Figure 1-2 Project Location Map



1.4 Project Alternatives

The original Build Alternative in the 2016 Initial Study with Mitigated Negative Declaration (final environmental document) proposed repairing the failed slope beneath the 84-inch concrete pipe culvert with a rock-filled gabion basket with a stone base support. Later analysis determined the gabion wall was not a feasible repair method.

The updated Build Alternative proposes using rock slope protection with sufficient size and quantity of boulders to stop any further erosion. The rock slope protection will be constructed at a 39-degree slope.

1.4.1 Build Alternative

The Build Alternative proposes to use rock slope protection to stop further soil erosion under the 84-inch reinforced concrete pipe culvert. The rock slope protection will be constructed at a 39-degree slope.

1.4.2 No-Build (No-Action) Alternative

The No-Build Alternative will not meet the purpose and need for the project. Erosion of the soil under the culvert will continue, causing a hazard to State Route 140.

1.4.3 Identification of a Preferred Alternative

Section 1.4.3 was added after the circulation of the draft supplemental environmental document. The draft supplemental environmental document was circulated for public review and comment. During that period, Caltrans received no comments. The Build Alternative has been identified as the preferred alternative. The No-Build (No-Action) Alternative was not chosen because it does not meet the purpose and need of the project.

1.5 Discussion of the NEPA Categorical Exclusion

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

Service—in other words, species protected by the Federal Endangered Species Act).

1.6 Permits and Approvals Needed

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

Agency	Permit/Approval	Status
California Department of Fish and Wildlife	1602 Lake and Streambed Alteration Agreement	In consultation
Regional Water Quality Control Board	401 Water Quality Certification	In consultation
U.S. Army Corps of Engineers	Section 404 of the Clean Water Act	In consultation

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

This checklist identifies the biological resources and greenhouse gas emissions that might be affected by the change in the project scope from using a gabion wall to using rock slope protection to stop the soil erosion at the culvert. Impacts that have not changed since the 2016 Initial Study with Mitigated Negative Declaration (final environmental document) are not discussed in this supplemental environmental document. Readers can review the 2016 Initial Study with Mitigated Negative Declaration (final environmental document) for the analyses of those impacts.

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 (BMPs) 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 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 Biological Resources

Considering the information included in the 2019 Natural Environment Study Minimal Impacts and Natural Environment Study Addendum dated September 2020, the following significance determinations have been made:

Question—Would the project:	CEQA 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, U.S. Fish and Wildlife Service, or NOAA Fisheries?	**Less Than Significant Impact**
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 U.S. Fish and Wildlife Service?	**No Impact**
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 project is located on Rancheria Creek at post mile 32.2 on State Route 140, about 2 miles south of the community of Briceburg in Mariposa County. The project area is undeveloped except for State Route 140 and the existing culvert. There are no residential, industrial, or commercial developments within the project area.

Rancheria Creek originates west of the project area in the upper-elevation foothills, flows east and drains in Bear Creek, which connects to the Merced River about 2 miles downstream. Merced River is designated as a Wild and

Scenic River and has been defined as having outstanding features that are protected.

Environmental Consequences

The 2019 Natural Environment Study and 2020 Addendum evaluated the potential impacts to the existing biological resources and anticipated any potential impacts from construction activities for the rock slope protection. The studies identified direct and indirect impacts in varying degrees on biological resources from construction activities, such as:

- A rock slope protection footprint that is 40 feet wide by 74 feet high, with an average depth of 30 feet.
- All construction activities occurring within Caltrans' right-of-way on State Route 140.
- Vegetation removal.
- Grading, excavating, compacting, and fill placement during construction.
- Introduction or spread of invasive plant species.
- Runoff of hazardous materials (i.e., diesel, gasoline, or other toxic materials).

Waters of the United States and Waters of the State

The 2019 Natural Environment Study and 2020 Addendum determined the project will have direct impacts to Waters of the United States and Waters of the State because of the permanent placement of rock slope protection within Rancheria Creek.

Permanent impacts were calculated to be 0.04 acre to Waters of the United States, and 0.08 acre to Waters of the State. Indirect impacts will be avoided because all construction activities will occur during the summer months, when Rancheria Creek is dry. Any impacts to Waters of the United States will be mitigated with compensatory measures. Compensatory mitigation for impacts will be discussed in the next section, avoidance and/or minimization measures.

Special-Status Plants

The 2019 Natural Environment Study and 2020 Addendum identified eight special-status plant species known to occur in the project area: Mariposa clarkia, Mariposa cryptantha, Ewan's larkspur, Koch's cord moss, Parry's horkelia, Shaggyhair lupine, slender-stemmed monkeyflower, and elongate copper moss. The project area has potential habitat for Ewan's larkspur, Koch's cord moss, Parry's horkelia, and Mariposa clarkia.

Any potential impacts to special-status plant species will be avoided through the implementation of avoidance and minimization measures. The measures will be discussed in the next section.

Special-Status Animals

The 2019 Natural Environment Study identified two special-status animal species that have the potential to occur within the project area and may be affected by construction activities: limestone salamander and foothill yellow-legged frog.

Any potential impacts to special-status animal species will be avoided through the implementation of avoidance and minimization measures. The measures will be discussed in the next section.

Avoidance, Minimization, and/or Mitigation Measures

The 2019 Natural Environment Study and 2020 Addendum identified avoidance, minimization, and mitigation measures to offset any impacts to biological resources to a less than significant level. Measures for the biological resources addressed in this document are listed below, and a detailed explanation of these measures is provided in Appendix B:

Waters of the United States and Waters of the State

Avoidance, minimization, and mitigation measures will protect Waters of the United States and Waters of the State. The following avoidance, minimization and mitigation measures will be implemented in the construction contract. A detailed explanation of these measures is provided in Appendix B.

- BIO-1: Compensatory Mitigation
- BIO-2: Pre-Construction Environmental Awareness Training
- BIO-3: Biological Monitor

Special-Status Plant Species

Avoidance and minimization measures will protect Ewan's larkspur, Koch's cord moss, Parry's horkelia, and Mariposa clarkia. The following measures will be implemented in the construction contract. A detailed explanation of these measures is provided in Appendix B.

- BIO-2: Pre-Construction Environmental Awareness Training
- BIO-3: Biological Monitor
- BIO-4: Pre-Construction Botanical Survey
- BIO-5: Environmental Sensitive Area Fencing
- BIO-6: Agency Coordination—with the California Department of Fish and Wildlife

Special-Status Animal Species

To avoid impacts to the limestone salamander and foothill yellow-legged frog, the following avoidance and minimization measures will be implemented in the construction contract. A detailed explanation of these measures is provided in Appendix B.

- BIO-2: Pre-Construction Environmental Awareness Training
- BIO-7: Work Window
- BIO-8: Biological Monitor
- BIO-9: Environmental Sensitive Area Fencing
- BIO-10: Agency Coordination—with the California Department of Fish and Wildlife

2.1.2 Greenhouse Gas Emissions

Considering the information included in the Climate Change and Greenhouse Gas Memo dated July 30, 2020, the following significance determinations have been made:

Question—Would the project:	CEQA 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 project sits along State Route 140 in Mariposa County. The project lies within Rancheria Creek at post mile 32.2 on State Route 140, about 2 miles south of the community of Briceburg. The land use designation of the project area is natural resources. State Route 140 is a main route into Yosemite National Park. This section of State Route 140 is used regularly by recreational vehicles and trucks.

The Mariposa Transportation Planning Division guides transportation development in the project area through the division's regional transportation plans.

Environmental Consequences

The project will repair a failed slope under and around an 84-inch reinforced concrete pipe culvert. The project will not generate operations emissions because the project will not increase roadway capacity or vehicle miles traveled and is therefore not expected to generate greenhouse gas emissions.

During construction, the project will generate air pollutants. The exhaust from construction equipment contains hydrocarbons, oxides of nitrogen, carbon monoxide, suspended particulate matter, and odors. The largest percentage of pollutants generated at the project site will be windblown dust, generated during excavation, grading, hauling and various other activities. Dust and odors from construction activities will cause occasional annoyances.

The estimated emissions generated from construction activities would total 53 tons of carbon dioxide over the 2-month work period.

Avoidance, Minimization, and/or Mitigation Measures

No avoidance, minimization, and/or mitigation measures are required. Implementation of Caltrans standard measures and best management practices will ensure impacts are less than significant.

2.1.3 Mandatory Findings of Significance

Question:	CEQA 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 Impact with Mitigation Incorporated**

Question:	CEQA 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**

Mandatory Findings of Significance Discussion

a) The project will have permanent impacts to 0.08 acre of Waters of the United States and Waters of the State. With the implementation of avoidance, minimization, and mitigation measures in the form of compensatory mitigation, as well as avoidance and minimization measures such as biological monitoring and pre-construction training, Caltrans has determined the project will have a less than significant impact with mitigation incorporated on Waters of the United States and Waters of the State.

   The project will have temporary impacts to special-status plant and animal species. With the implementation of avoidance and minimization measures such as pre-construction environmental awareness training, biological monitoring, pre-construction botanical surveys, work windows, environmental sensitive area fencing, and agency coordination with the California Department of Fish and Wildlife, Caltrans has determined the project will have a less than significant impact to special-status plant and animal species.

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY Gavin Newsom, Governor

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Making Conservation a California Way of Life.

November 2019

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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.

Toks Omishakin
Director

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

Appendix B Avoidance, Minimization and Mitigation Measures

The avoidance, minimization, and mitigation measures listed below pertain to the 2019 Natural Environment Study and 2020 Addendum. The reader can refer to the original 2016 final environmental document for the previously stated avoidance, minimization, and mitigation measures, which have not changed.

BIO-1: Compensatory Mitigation—Mitigation for impacts to Waters of the United States will include monetary compensation through an in-lieu fee program with the National Fish and Wildlife Foundation or other compensatory mitigation approved by the U.S. Army Corps of Engineers through the Section 404 permitting process.

BIO-2: Pre-construction Environmental Awareness Training— Construction personnel will be required to attend an environmental awareness training for special-status habitat, plant species, and animal species with the potential to occur in the Biological Study Area prior to initiating construction activities. A qualified Caltrans biologist will conduct the on-site training.

BIO-3: Biological Monitor—A qualified Caltrans biologist will be present on-site daily to monitor construction activities and help ensure compliance with environmental regulations and permits.

BIO-4: Pre-construction Botanical Surveys—Botanical surveys will need to take place in May, or a variety of surveys will take place to cover the blooming period for the Ewan's larkspur, Koch's cord moss, Parry's horkelia, and Mariposa clarkia, prior to the onset of construction.

BIO-5: Environmentally Sensitive Area (ESA) Fencing—If any special-status plant species are found to be present on-site, Environmentally Sensitive Area (ESA) fencing in the form of 5-foot orange plastic mesh will be erected and the plants will be avoided.

BIO-6: Agency Coordination—If any special-status plant species are observed and cannot be avoided, coordination with the California Department of Fish and Wildlife will be initiated to identify potential minimization measures.

BIO-7: Work Window—Perform all construction work during the limestone salamander's inactive season of April to November.

BIO-8: Biological Monitor—A qualified Caltrans biologist will be on-site during active construction that occurs adjacent to limestone salamander and

foothill yellow-legged frog habitat to inspect the worksite and all exclusionary fencing.

BIO-9: Environmentally Sensitive Area (ESA) Fencing—Where construction activities occur adjacent to limestone salamander habitat (rocky outcrops) and foothill yellow-legged frog dispersal habitat (Rancheria Creek), Caltrans or its contractor will erect environmentally sensitive area fencing in the form of 5-foot orange plastic mesh, as well as salamander protection exclusionary fencing in the form of 24-inch sheet metal. The fencing will be placed between the active work area and suitable habitat. A biologist will identify the appropriate location of fencing and will clear the area of any sensitive species prior to installation of the fencing.

BIO-10: Agency Coordination—Any observation of limestone salamander or foothill yellow-legged frog in the worksite and any accidental injury or mortality from vehicle strikes or other means will be immediately reported to the Caltrans resident engineer so that he or she can stop work in the immediate area of the sighting (within 100 feet). Following the stopped work, Caltrans will notify the California Department of Fish and Wildlife immediately to determine the appropriate next steps.

Appendix C Comment Letters and Responses

This appendix was added after the draft supplemental environmental document completed circulation. This appendix contains any comments received during the public circulation and comment period from December 24, 2020 to January 22, 2021.

Caltrans received no comments during the public circulation and comment period.

Coinciding with the start of the public circulation and comment period, on December 24, 2020, a Notice of Intent to Adopt a Mitigated Negative Declaration was published in *The Mariposa Gazette.*

List of Technical Studies

Natural Environment Study (2019)

Natural Environment Study Addendum (2020)

Climate Change/Greenhouse Gas Memo (2020)

To obtain a copy of one or more of these technical studies/reports or the Supplemental Initial Study, please send your request to the following email address: district10publicaffairs@dot.ca.gov

Please indicate the project name and project identifying code (under the project name on the cover of this document) and specify the technical report or document you would like a copy of. Provide your name and email address or U.S. postal service mailing address (street address, city, state and zip code).