

Highway 26/49 Intersection Control Improvement Project

In Calaveras County on State Routes 26 and 49

10-CAL-26/49-PM 18.10/18.10

Project ID Number 1019000164

State Clearinghouse Number 2022060121

Initial Study with Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

August 2022



General Information About This Document

Document prepared by: Divine Yang, Environmental Scientist

The Initial Study circulated to the public for 32 days between June 9, 2022, and July 11, 2022. Comments received during this period are included in Appendix B. Elsewhere, language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

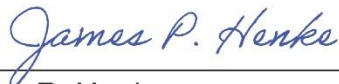
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Intersection improvement on State Routes 26 and 49 in Calaveras County

**INITIAL STUDY
with Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation
and
Responsible Agency: California Transportation Commission



James P. Henke
Environmental Office Chief, District 10
California Department of Transportation
CEQA Lead Agency

8/12/2022

Date

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Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2022060121

District-County-Route-Post Mile: 10-CAL-26/49-PM 18.10/18.10

EA/Project Number: EA 10-1K820 and Project ID Number 1019000164

Project Description

The California Department of Transportation (Caltrans) proposes to improve the safety of the intersection of State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill.

Determination

An Initial Study has been prepared by Caltrans District 10. On the basis of this study, it is determined that the proposed action with the incorporation of the identified avoidance and minimization measures will not have a significant effect on the environment.

A handwritten signature in blue ink that reads 'James P. Henke'.

James P. Henke
Environmental Office Chief, District 10
California Department of Transportation

8/12/2022

Date

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Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (known as NEPA). The project proposes to improve the safety of the intersection of State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill. The State Route 26 and State Route 49 junction is a four-legged intersection. State Route 26 traverses east and west, and State Route 49 traverses north and south. Currently, the flow of traffic at this intersection is controlled by an interim countermeasure all-way stop. Initially, State Route 26 was controlled by a two-way stop, while State Route 49 had free-flowing traffic.

The project is listed in the 2021 Federal Statewide Transportation Improvement Program Rural Nonmetropolitan Areas. The Calaveras Council of Governments' Regional Transportation Plan guides transportation development in the project area. Chapter 1 of this document discusses the project scope, location, and alternatives; Chapter 2 discusses the project's potential environmental impacts under CEQA.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of this project is to improve intersection control to reduce the number and severity of broadside collisions at the intersection of State Route 26 and State Route 49.

1.2.2 Need

A pattern of broadside collisions has been identified at the intersection of State Route 26 and State Route 49, which are caused by motorists failing to yield.

1.3 Project Description

[Section 1.3 Project Description was updated since the draft environmental document was circulated.] The project proposes to improve the safety of the intersection at State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill by constructing a single-lane roundabout. The project is expected to begin work at post mile 17.37 on State Route 26 and end work at post mile 18.67. Construction will start at post mile

17.87 on State Route 26 and end at post mile 18.17. Work on State Route 49 will begin at post mile 26.94 and end at post mile 28.31; construction on State Route 49 will begin at post mile 27.44 and end at post mile 27.81. A collision report from the California Highway Patrol and a traffic investigation conducted by Caltrans District 10 Traffic Safety Branch identified a pattern of broadside collisions at the intersection of State Route 26 and State Route 49.

Figure 1-1, which shows the project vicinity map, also shows where the project is within Calaveras County in the census-designated town of Mokelumne Hill. Figure 1-2, which shows the project location map, also shows the project location with project post miles for where work and construction will begin and end.

Figure 1-1 Project Vicinity Map

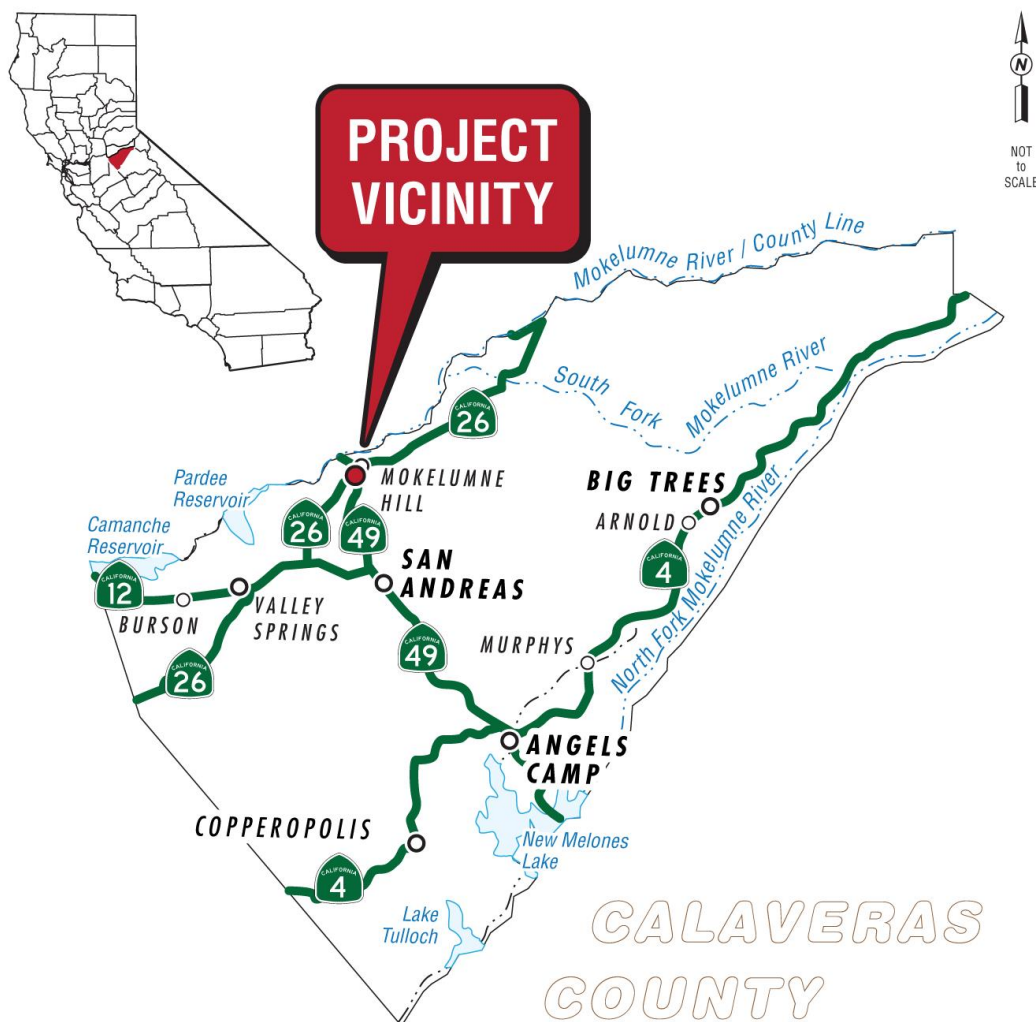
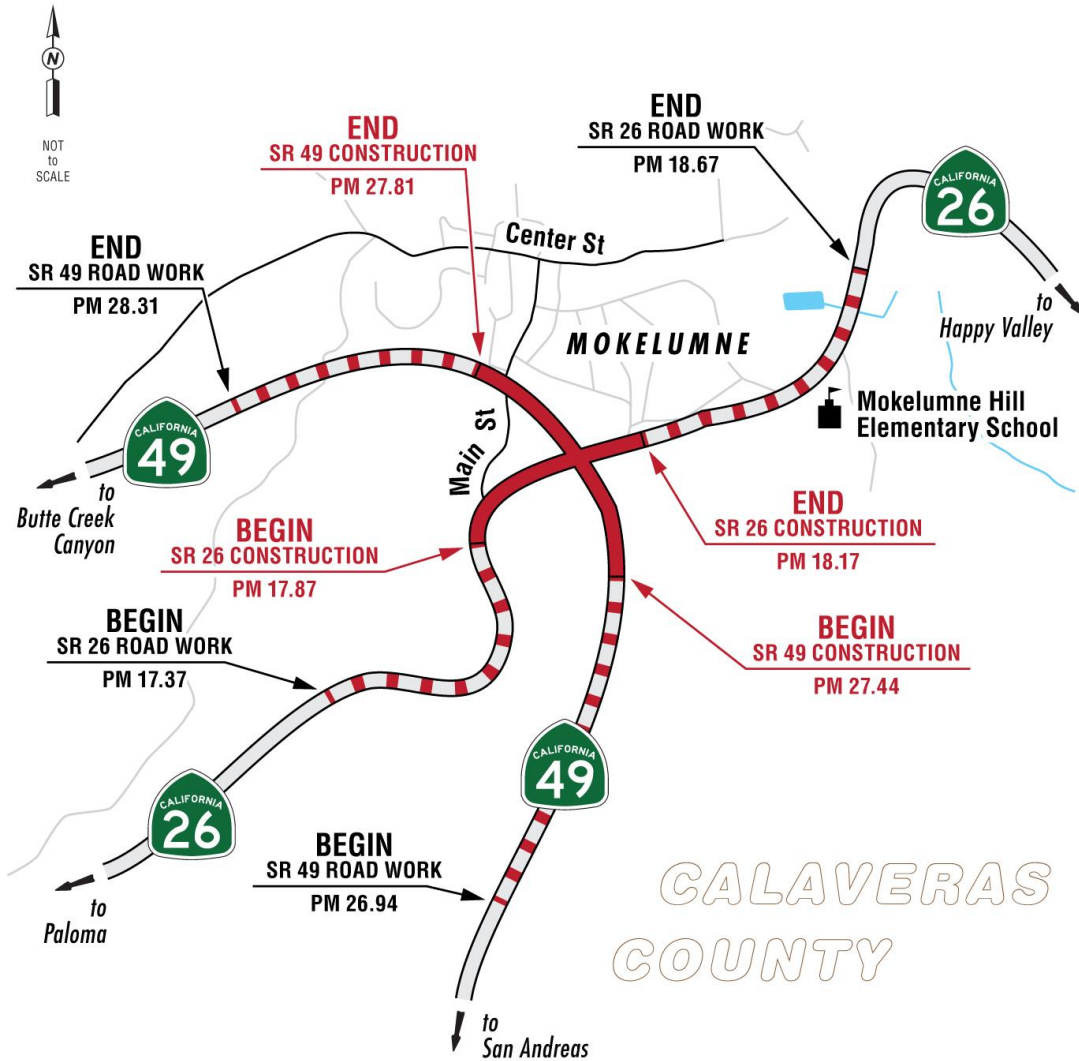


Figure 1-2 Project Location Map

1.4 Project Alternatives

The project initially considered two Build Alternatives and a No-Build Alternative for intersection improvements at the intersection of State Route 26 and State Route 49 in Mokelumne Hill. [The following text has been added since the draft environmental document was circulated.] The signal alternative was dropped from consideration on November 22, 2021, and the No-Build Alternative was dropped after the circulation of the draft environmental document because it did not meet the purpose and need of the project.

1.4.1 Build Alternatives

The Build Alternative proposes to build a single-lane roundabout at the intersection of State Route 26 and State Route 49. The Build Alternative will

require additional right-of-way on State Route 26 to bring the roadway up to roadside clear recovery zone standards and accommodate utility relocation. Thirteen parcels will be impacted, but no relocations of businesses or full take are expected. The Build Alternative will include crosswalks, splitter islands to ensure proper speed reduction when entering the roundabout, and a raised center island and truck aprons at four outside corners of the roundabout. The roundabout will meet Surface Transportation Assistance Act standards for truck turning movements. Advance flashing beacons will be installed to warn motorists of the intersection. One permanent/independent Vehicle Detection Station with two loop detectors per lane on all four legs of the intersection is proposed. One closed-circuit television camera is also proposed for monitoring roadway conditions.

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 Build Alternatives.”

1.4.2 No-Build (No-Action) Alternative

The No-Build Alternative will not meet the purpose and need of the project because it will leave the intersection in its current condition.

1.5 Identification of a Preferred Alternative

[Section 1.5 Identification of a Preferred Alternative has been added since the draft environmental document was circulated.] After comparing and weighing the benefits and impacts of all feasible alternatives, the county has identified a single Build Alternative. Following public review and a public meeting, the Build Alternative, which will construct a roundabout, was identified as the preferred alternative.

1.6 Alternatives Considered but Eliminated from Further Discussion

Build Alternative 2 proposed to install a traffic signal at the intersection of State Routes 26 and 49. This alternative was dropped from further discussion after discussion with the project development team and supporting results from the Intersection Control Evaluation process. The Intersection Control Evaluation, dated May 2021, scored each alternative based on criteria, such as queuing, level of service, greenhouse gas reduction, collision severity, and maintenance; the roundabout alternative achieved the highest score.

1.7 Standard Measures and Best Management Practices Included in All Build Alternatives

The project may include, but will not be limited to, the following Standard Special Provisions and Specifications:

AQ-1 Caltrans Standard Specifications Section 14-9.02 “Air Pollution Control” requires the contractor to comply with air pollution control rules, ordinances, regulations, and statutes that apply to work performed under the contract, including those provided in Government Code Section 11017.

BIO-1: [BIO-1 has been updated to add more details of the buffer’s requirement.] A preconstruction survey for migratory birds and raptors will be required no more than 14 days before construction if construction activities occur within the migratory bird nesting season (February 1 to September 30). If migratory birds or raptors are found nesting within or next to a work area during construction, the following Environmentally Sensitive Area buffers will be required:

- If active migratory bird nests are seen, a 100-foot Environmentally Sensitive Area buffer will be required.
- If an active burrowing owl is seen during the nonbreeding season (September 1 to January 31), then a 165-foot Environmentally Sensitive Area buffer will be required. If seen during the breeding season (February 1 to August 31), then a 250-foot buffer will be required.
- If an active raptor nest is seen, a 300-foot Environmentally Sensitive Area buffer will be required. If an active Swainson’s hawk nest is seen, a 600-foot Environmentally Sensitive Area buffer will be required.
- Environmentally Sensitive Area buffers will be implemented and avoided until the young have fledged or if a qualified biologist determines that construction may proceed.

GHG-1 Truck trips will be scheduled outside of peak morning and evening commute hours.

GHG-2 The contractor will reduce construction waste and maximize the use of recycled materials.

GHG-3 The contractor will seek to operate construction equipment with improved fuel efficiency by:

- Properly tuning and maintaining equipment
- Using the right sized equipment for the job

- Using equipment with new technologies

HAZ-1: The Caltrans Standard Special Provision pertaining to nonhazardous aeriaily deposited lead, Section 7-1.02K(6)(j)(iii) shall be added to the construction contract.

HAZ-2: Asbestos-containing material and lead-based paint surveys will be required if there are any demolition or modifications of buildings.

HAZ-3: Caltrans Standard Special Provisions Section 14-11.12 will be added to the construction contract, and the contractor will manage the removed stripe and pavement marking as hazardous waste.

HAZ-4: Caltrans Standard Special Provisions Section 14-11.14 will be implemented for treated wood waste.

1.8 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 Categorical Exclusion determination, has been 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—that is, species protected by the Federal Endangered Species Act).

1.9 Permits and Approvals Needed

No permits, licenses, agreements, or certifications are required for project construction:

Chapter 2 CEQA Evaluation

2.1 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. Potential impact determinations include Significant and Unavoidable Impact, Less Than Significant Impact 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 in the Scenic Resource Evaluation dated January 19, 2022, the following significance determinations have been made.

Except as provided in Public Resources Code Section 21099:

Question—Would the project:	CEQA 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:	CEQA Significance Determinations for Aesthetics
c) In nonurbanized 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.

Considering the information in the project location and scope of work, the following significance determinations have been made:

Question—Would the project:	CEQA 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 nonagricultural use?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact

Question—Would the project:	CEQA Significance Determinations for Agriculture and Forest Resources
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 nonagricultural use or conversion of forest land to non-forest use?	No Impact

2.1.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Considering the information in the Air Quality Memorandum dated December 24, 2021, the following significance determinations have been made.

Question—Would the project:	CEQA 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 in the Biological Resources Evaluation (No Effect) Memorandum dated December 16, 2021, 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 National Oceanic and Atmospheric Administration Fisheries?	No 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

2.1.5 Cultural Resources

Considering the information in the Historic Property Survey Report, the Archaeological Survey Report dated January 5, 2022, and Historical Resources Evaluation Report dated December 2021, the following significance determinations have been made:

Question—Would the project:	CEQA 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 information in the project scope and the information in the Caltrans Standard Environmental Reference pulled in January 2022, the following significance determinations have been made:

Question—Would the project:	CEQA 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 in the California Department of Conservation Earthquake Zone Map and the California Department of Conservation Landslide Map pulled in February 2022, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>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.</p>	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	No 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

2.1.8 Greenhouse Gas Emissions

Considering the information in the Climate Change/Greenhouse Gas Analysis dated March 2022, 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 area is characterized by urban roads, open rural areas, and commercial properties in Mokelumne Hill. The State Route 26 and State Route 49 junction is a four-legged intersection. This intersection is a heavily used transportation area and is common for congestion. State Route 26 traverses east and west, and State Route 49 traverses north and south. Currently, the flow of traffic at this intersection is controlled by an interim countermeasure all-way stop control. Initially, State Route 49 had free-flowing traffic, and State Route 26 had two-way stop control traffic.

State Route 26 serves the interregional traffic and connects to State Route 99. The project is listed in the 2021 Federal Statewide Transportation Improvement Program Rural Nonmetropolitan Areas. The Calaveras Council of Governments' Regional Transportation Plan guides transportation development in the project area. In addition, the updated 2019 Calaveras County General Plan also addresses greenhouse gases in the project area.

Environmental Consequences

The project will not increase operational emissions. Temporary carbon dioxide emissions generated from construction equipment were estimated using the Caltrans Construction Emissions Tool (CALCET v1.1 V1.0 Beta). The estimated carbon dioxide emissions for the project will be 384 tons during the project's 200 working days. While the project will result in greenhouse gas emissions during construction, the project is not expected to result in an increase in operational greenhouse gas emissions.

The project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. With the implementation of construction greenhouse gas reduction measures, the impact will be less than significant.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will also be implemented in the project to reduce greenhouse gas emissions and potential climate change impacts from the project.

AQ-1 Caltrans Standard Specifications Section 14-9.02 “Air Pollution Control” requires the contractor to comply with air pollution control rules, ordinances, regulations, and statutes that apply to work performed under the contract, including those provided in Government Code Section 11017.

GHG-1 Truck trips will be scheduled outside of peak morning and evening commute hours.

GHG-2 The contractor will reduce construction waste and maximize the use of recycled materials.

GHG-3 The contractor will seek to operate construction equipment with improved fuel efficiency by:

- Properly tuning and maintaining equipment
- Using the right sized equipment for the job
- Using equipment with new technologies

2.1.9 Hazards and Hazardous Materials

Considering the information in the Hazardous Waste Initial Site Assessment dated February 1, 2022, the following significance determinations have been made:

Question—Would the project:	CEQA 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 0.25 mile of an existing or proposed school?	No Impact

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
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?	Less Than Significant Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 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

Affected Environment

The project proposes to improve the safety of the intersection of State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill. The intersection is a heavily used transportation intersection. The project area is characterized by urban roads, open rural areas, and commercial properties. One remediation site—the Sierra Trading Post—is next to the project area.

Environmental Consequences

A soil survey was conducted in October 2021; the results indicated that there are no limitations for the reuse of soil based on gasoline organic compounds, oil range organic compounds, volatile organic compounds, and oxygenated fuel compounds. The samples taken on the southeast corner of the intersection showed diesel range organic concentrations exceeding the residential environmental screening level but below the commercial/industrial workers screening level. Thus, soil from this corner may be reused within the project area without restriction.

Aerially deposited lead in the project area had been identified to have concentrations below the regulatory threshold. Soil can be reused or disposed of without restriction. Measure HAZ-1 will be implemented for proper handling of nonhazardous aerially deposited lead.

The project does not currently include demolition or modifications of any buildings. However, should this change, measure HAZ-2, which requires that a survey be conducted for asbestos-containing material and lead-based paint, will be implemented. If striping is removed, measure HAZ-3 will be implemented, which requires the contractor to manage the strip and pavement marking as hazardous waste. Measure HAZ-4, Caltrans Standard Special Provisions Section 14-11.14, will be implemented if treated wood waste is encountered.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be implemented to minimize impacts:

HAZ-1: The Caltrans Standard Special Provision pertaining to nonhazardous aerially deposited lead, Section 7-1.02K(6)(j)(iii), shall be added to the construction contract.

HAZ-2: Asbestos-containing material and lead-based paint surveys will be required if there are any demolition or modifications of buildings.

HAZ-3: Caltrans Standard Special Provisions Section 14-11.12 will be added to the construction contract, and the contractor will manage the removed stripe and pavement marking as hazardous waste.

HAZ-4: Caltrans Standard Special Provisions Section 14-11.14 will be implemented for treated wood waste.

2.1.10 Hydrology and Water Quality

Considering the information in the Water Compliance Memorandum dated September 14, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	No 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

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
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 onsite or offsite;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite 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?	No Impact
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

2.1.11 Land Use and Planning

Considering the information in the Calaveras County General Plan, the following significance determinations have been made:

Question—Would the project:	CEQA 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 in the Calaveras County General Plan, the following significance determinations have been made:

Question—Would the project:	CEQA 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 in the Noise Compliance Study dated November 19, 2021, the following significance determinations have been made:

Question—Would the project result in:	CEQA 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 2 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:

Question—Would the project:	CEQA 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 that the project will not affect any government facilities or trigger the need for new facilities or government services and the fact that the road will be open during construction, the following significance determinations have been made:

Question:	CEQA 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

Considering that the project will not affect parks or recreational facilities or trigger the need for more recreational facilities to be built, the following significance determinations have been made:

Question—Would the project:	CEQA 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

Considering the information on the Calaveras Council of Governments' website, which guides transportation development in the project area, the 2019 Calaveras County General Plan, and the Traffic Operations Analysis dated March 26, 2021, the following significance determinations have been made:

Question—Would the project:	CEQA 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 CEQA Guidelines Section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

2.1.18 Tribal Cultural Resources

Considering the information in the Historic Property Survey Report dated January 5, 2022, the following significance determinations have been made:

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:	CEQA 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
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 Resources 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

Considering the information in the project scope, location, and preliminary design, the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
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

Considering the information in the California Department of Forestry and Fire Protection's Fire Hazard Severity Zone Maps, the following significance determinations have been made:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

Question—Would the project:	CEQA Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact

Question—Would the project:	CEQA Significance Determinations for Wildfire
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:	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
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

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

Affected Environment

The project proposes to improve the safety of the intersection at State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill. The intersection is a heavily used transportation intersection. The project area is characterized by urban roads, open rural areas, and commercial properties.

Environmental Consequences

As discussed in Sections 2.1.8 and 2.1.9, the project will have an impact on greenhouse gas emissions during construction and hazardous materials; however, the impact will be less than significant with the implementation of avoidance and minimization measures.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of avoidance and minimization measures discussed in this document, the project will have a less than significant impact on the environment. All other impacts will be minimized through the implementation of Caltrans' Best Management Practices, Standard Specifications, and Standard Special Provisions. Therefore, the project will not have a significant, cumulatively considerable impact on human beings or the environment.

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Govin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR
P.O. BOX 942873, MS-49
SACRAMENTO, CA 94273-0001
PHONE (916) 654-6130
FAX (916) 653-5776
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Making Conservation
a California Way of Life.

September 2021

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."*

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a nondiscriminatory manner.

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/civil-rights/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 Civil Rights, at 1823 14th Street, MS-79, Sacramento, CA 95811; PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

A blue ink signature of Toks Omishakin, written in a stylized cursive script.

Toks Omishakin
Director

"Provide a safe and reliable transportation network that serves all people and respects the environment."

Appendix B Comment Letters and Responses

[Appendix B has been added since the draft environmental document was circulated.] This appendix contains the comments received during the public circulation and comment period from June 9, 2022, to July 11, 2022, retyped for readability. The comment letters are stated verbatim as submitted, with acronyms, abbreviations, and any original grammatical or typographical errors included. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document. Fourteen comments have been received, five of which were received on a comment card at the public meeting, three comment cards and a letter were received through the mail, and five were received by email.

Comment from Julia Costello, History Society, comment received on a comment card.

Comment 1:

NAME: Julia Costello

ADDRESS: 8331 Stevenson St, Mokelumne Hill, 95245

Please add me to the project mailing list.

The rhyolite strata North of the Hwy 26/49 intersection had at least 8 mining tunnels excavated through it in the 1850s. The history society is mapping there. If any are encountered in excavations for the roundabout, we would appreciate having their locations mapped and the openings described.
juliamokehill@gmail.com 209-286-1182.

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your comment and will let you know if mining tunnels are encountered during construction.

Comment from Will Mosgrove and Anne Cook, comment letter received with Julia Costello on a comment card.

Comment 1:

Proxy statement, provided to Julia Costello, from Will Mosgrove and Anne Cook.

In favor of the Highway 49/SR 26 proposed roundabout.

There is clear evidence from Caltrans, along with concerns of local residents and county representatives, that the safety of the Highway 49 and State Route 26 four-way intersection is inadequate.

Numerous collisions and near accidents have been reported in recent years. Excessive vehicle speeding, heading toward and away from the intersection, is commonplace. Those living along the corridors leading up to the intersection can testify that the existing four-way stop is problematic. Pedestrians who walk to and from the intersection, along the edge of the roads feel extremely unsafe due, in part, to speeding vehicles, especially as they turn onto Main Street, into Moke Hill, from Highway 49 North. How can the intersection be improved to increase safety for all who travel the roads and what can be done to lower the travel speed of vehicles as they approach and depart the intersection? Installing a well-designed roundabout should certainly help with the issue of collisions at the current four-way stop. Enforced, graduated speed-limits for vehicles heading toward and driving away from the intersection would reduce the current excess of speeding vehicles. We are in favor of the installation of the roundabout and for reducing speed-limits on the four stretches of road that lead to the intersection.

Anne Cook
Will Mosgrove

Residents on Main Street
Mokelumne Hill

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference.

Comment from Chris Wright, comment received on a comment card at the public meeting

NAME: Chris Wright

ADDRESS: PO Box 361, Glencoe, 95232

Please add me to the project mailing list.

Comment 1:

Please don't do anything for another 40 years. However if you do something please build a roundabout! Remember the traffic flow may go down if the price of gas continues to go up.

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference.

Comment from Carl Mills, comment received on a comment card at the public meeting.

NAME: Mary Krauthamel Lane

ADDRESS: 8340 Lafayette St, Moke Hill, 95245

REPRESENTING: Myself

Please add me to the project mailing list.

Comment 1:

I've been in town for over 40 years. The four-way stop was a big improvement and I totally support the roundabout because its better than the 4 way stop. So, keep up the good work and get started! Thanks

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference.

Comment from Mary Krauthamel Lane, comment received on a comment card at the public meeting.

NAME: Mary Krauthamel Lane

ADDRESS: 6129 Paloma Rd, CA, 95252

REPRESENTING: Self

Comment 1:

The area being addressed isn't flat enough to accomodat the amount of traffic. I think it should be on a place that's more level. PS. How about 26r/2 in VS?

Response to comment 1: Thank you for your comment and interest in this project. Caltrans takes into consideration the terrain of the project area and has performed traffic studies to ensure that the improvement to the intersection will be up to standard and accommodate current and future traffic counts.

Comment from Local CiTizens, comment received on a comment card at the public meeting.

Comment 1:

Project Fails to adequetly address the Need to reduce impacts on existing Traffic during consTrucTion process

Response to comment 1: Thank you for your comment and interest in this project. Traffic management during construction is addressed during the development of detailed construction plans and specifications for the project. This includes preparing detailed plans on when certain construction activities can occur and when lanes are closed to minimize impacts and preparing signage.

Comment from Ross Pebley, comment received on a comment card at the public meeting.

NAME: Ross Pebley

ADDRESS: 10909 Jesus Marin Rd, Moke Hill, 95245

REPRESENTING: Self

Comment 1:

Why an 11 million Dollar Project use the money for schools. Just change the speed limit to 25 Before the STOP Sign.

Response to comment 1: Thank you for your comment and interest in this project. Just changing the speed limit will not improve the safety of the intersection. The Build Alternative (roundabout) will improve the safety of the intersection.

Comment from Jacquelin Dell'Orto, received on a comment card.

NAME: JACqueLiN Dell'Orto

ADDRESS: 9154 Hwy 49, Mokelumne Hill, 95245

REPRESENTING: MY self AND FAMily

Please add me to the project mailing list.

Comment 1:

There is no need for improvement on the 26/49 intersection control. It is working very good. The Dell'Orto family has been in Mokelumne Hill way over 100 yrs. There is no need for change now or 20 yrs from now. Mokelumne Hill is a very special areas lets keep it the way it is. (sorry for not printing).

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference.

Comment from Sunny Mavi, received via email.

Comment 1:

From: sunny mavi <mavi916@gmail.com>
Date: June 16, 2022 at 3:15:08 PM PDT
To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>
Subject: Mokelumne hill 49/26 project

Hi Mr. Azevedo!

I am the owner of Mokehill station property at the intersection of Hwy 26/49.

I read in the Proposed Negative Declaration documents that moving forward with Roundabout project will impact 13 parcels so I would like to find out how will it impact my property and the possible Economic effect of it on the businesses on that intersection as I am in middle of developing a gas station at the intersection. Also being there on site everyday we haven't seen any accidents on that intersection for at least couple of years or more now after the All-way Stop was implemented there. Are there any traffic collision studies available for that intersection for years 2019 and after?

Also another concern I have is that the reason given for traffic collision is "Failing to yield" the right of way on an All-way Stop. An All-Way Stop has more clear guidelines on Driver's right of way than a Roundabout does. How would that impact the Traffic collision situation?

Thanks.

Sincerely,

Sunny Mavi

916-834-4418.

Best Regards.

Sunny Mavi.

916-834-4418.

Comment 1: I am the owner of Mokehill Station property at the intersection of Hwy 26/49. I read in the Proposed Negative Declaration documents that moving forward with Roundabout project will impact 13 parcels so I would like to find out how will it impact my property and the possible economic effect of it on the businesses on that intersection as I am in middle of developing a gas station at the intersection.

Response to comment 1: Thank you for your comment and interest in this project. At this time, Caltrans has preliminarily identified which parcels will be

impacted. The precise right-of-way take will be determined when Caltrans finalizes the design and prepares right-of-way requirement maps. This matter has not been finalized. For instance, it's possible that shifting the location of the roundabout could eliminate one or more parcels from involvement with the project and/or add others.

The roundabout will be designed to allow drivers to access nearby businesses from State Route 26 and State Route 49 in all directions. Caltrans has identified which parcels will be impacted and came up with preliminary solutions for access and circulation. If you have your gas station plan, would you please send us a PDF copy via email, so the Caltrans design team can look at it and let you know the impact? Also, Caltrans is open to setting up a meeting after the design review.

Comment 2: Also, being there on site every day, we haven't seen any accidents on that intersection for at least couple of years or more now after the All-way Stop was implemented there. Are there any traffic collision studies available for that intersection for years 2019 and after?

Response to comment 2: The all-way stop control has been installed as an interim measure to reduce/eliminate broadside collisions and is working as intended. The roundabout is a long-term solution that will address the safety aspect and the operations of the intersection.

Based on the operational analysis, the all-way stop control will begin to fail right around the time the roundabout will be completed (drivers experiencing unacceptable delays and long queues). The roundabout is expected to operate beyond 20 years after construction. The all-way stop control will fail in the opening year (2026) of the roundabout.

Comment 3: Also, another concern I have is that the reason given for traffic collision is "Failing to yield" the right of way on an All-way Stop. An All-Way Stop has more clear guidelines on Driver's right of way than a Roundabout does. How would that impact the Traffic collision situation?

Response to comment 3: The roundabout will have yield signs, and it's easier to understand yielding to moving traffic from the left than it is to come to a four-way stop and try to figure out who has the right-of-way and what the other drivers are going to do.

At a four-way stop, drivers may encounter motor vehicles, bicycles, or pedestrian traffic from the left, right, or oncoming and some may not stop for the signs.

With the roundabout, there is no confusion about who has the right-of-way or what the other drivers will do because they're already doing it.

Additionally, vehicles are only coming from one direction. There is also no worry about other vehicles not stopping because there is no stopping; the other driver is already on the roundabout moving at a reduced speed, as they're supposed to.

A driver must consider if any pedestrians are present at a four-way stop. At a roundabout, however, a driver will pass a crosswalk before they get to the roundabout and watch for vehicular traffic. As discussed in the presentation, the conflict points are separated, so drivers don't have to deal with vehicles and pedestrians simultaneously.

In a roundabout, there are eight potential conflict points for pedestrians and eight potential conflict points for vehicles. At a four-legged intersection, there are 32 conflict points for vehicles and 24 for pedestrians.

According to the U.S. Department of Transportation, at eight sites studied, an intersection that had a roundabout saw a 73 percent decrease in injuries, a 51 percent decrease in total incidents, and a 32 percent decrease in incidents involving property damage.

Stop signs and yield signs only work for people who are not impaired and are obeying the law. However, a roundabout will reduce the likelihood and severity of collisions.

Comment from Ingrid (Kris) Ford. Received on a comment card.

NAME: Ingrid (Kris) Ford (209) 602-1631

ADDRESS: 7997 Hwy 25 mailbox 248, Moke Hill CA, 95245

REPRESENTING: Self (my house is located at (near) northwest corner of Hwy 49+26

Please add me to the project mailing list.

Comment 1: Thank you for the public meeting on 6/14/22. It was helpful info but I have numerous concerns. My house and property definitely going to be affected detrimentally by the construction of a roundabout at Hwys 49+26. My driveway is directly in the path of the road widening on Hwy 26. My access in and out of my property will be very difficult. The noise and increased dirt and dust will be a problem for me as I have health issues with breathing. The safety of my outdoor cat is also a concern. It appears there will be a loss to part of my property along Hwy 26 in addition to my driveway issue and concerns over noise, pollution + personal disruption. I have lived at this residence since July 1980 (42 yrs). Over the years numerous accidents did occur at that intersection. Since the placement of the 4 way stop, a huge improvement has occurred in reduction of incidents/accidents there. I would assume the business at that interspersion are also concerned as to how the construction + loss of ingress/egress to their business + parking at some will be affected as well. Personally, I would prefer to keep the 4 ways stop instead of a roundabout at Hwy 49,26. Thank you.

Response to comment 1: Thank you for your comment and interest in this project. Caltrans Best Management Practices, Standard Special Provisions, and Standard Specifications will be implemented to minimize noise and dust impacts. In addition, a Transportation Management Plan will be developed in the design phase of the project to minimize impacts on traffic and access to businesses and residences in the project area during construction. The all-way stop control has been installed as an interim measure to reduce/eliminate broadside collisions and is working as intended. The roundabout is a long-term solution that will address the safety aspect and the operations of the intersection. Based on the operational analysis, the all-way stop control will begin to fail right around the time the roundabout will be completed (drivers experiencing unacceptable delays and long queues). The roundabout is expected to operate beyond 20 years after construction. The all-way stop control will fail in the opening year (2026) of the roundabout.

Comment from Jackson Hurst, comment received via email.

Comment 1:

From: Jackson Hurst <ghostlightmater@yahoo.com>
Date: June 30, 2022 at 12:23:12 PM PDT
To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>
Subject: Highway 26/49 Intersection Control Improvement Project IS/MND
Document Public Comment

Name - Jackson Hurst

Address - 4216 Cornell Crossing, Kennesaw, Georgia 30144

Comment - I have reviewed the Draft Environmental Document for Caltrans Highway 26/49 Intersection Control Improvement Project. I approve and support the build alternative for Caltrans Highway 26/49 Intersection Control Improvement Project because the build alternative will convert the existing intersection of CA 26/49 into a roundabout which will improve safety and reduce the number of intersection conflict points.

Response to comment 1: Thank you for your comment and interest in this project. Caltrans has noted your alternative preference.

Comment from Dawn Ostrom, comment received via email.

Comment 1:

From: DAWN OSTROM <agnespeacock@yahoo.com>

Sent: Wednesday, June 8, 2022 10:42 AM

To: Yang, Divine@DOT <Divine.Yang@dot.ca.gov>

Subject: Re: Public Notice for the Highway 26/49 Intersection Control Improvement Project in Calaveras County Project

Hello Divine Yang:

Thank You for the communication. I also received a personal letter letting me know about the meeting. I consider it very important that I attend the meeting to help my other community members see/understand what is happening at the intersection being addressed. I am farming outdoors on my 3+ acres on the highway and see and feel daily destruction of my quality of life and the negative outcome to the safety and peace of my community.

Due to the virus increasing immensely at this time I can not go into a building with a large gathering of others for my safety and continued life. I am upset this meeting is not being held in our community park with all told to bring a chair. (This is what we do in our community when we have to address such situations as this one.) The meeting being held outdoors is the only way to keep our community of many senior citizens somewhat safe from the virus.

I am also greatly angered that there was a print of this meeting in the adjoining county newspaper (Amador Ledger Dispatch) but none I have seen in Calaveras County media where Mokelumne Hill is! We do not need Amador County residents at our small town meeting spreading more virus!

I will be forced to trying to address this from afar through electronic web and paper mail.

Thank you for your time,

Dawn Ostrom-Rainey

Response to comment 1: Thank you for your comment and interest in this project. Caltrans had proposed a virtual meeting, but Calaveras County wanted an in-person one. This is the second public meeting for this project; the first one was virtual. Public advertisements and news releases were sent out to the Calaveras Enterprise. Postcards promoting the meeting were also mailed out to addresses in Calaveras County on Friday, June 3, 2022, and posted on Caltrans' social media accounts.

Comment from Harvey Tran, California Department of Fish and Wildlife, comment received via email.

Comment 1:

From: "Tran, Harvey@Wildlife" <Harvey.Tran@wildlife.ca.gov>
Date: July 8, 2022 at 2:18:27 PM PDT
To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>
Cc: "Wilson, Billie@Wildlife" <Billie.Wilson@wildlife.ca.gov>, Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>, "Garcia, Jennifer@Wildlife" <Jennifer.Garcia@wildlife.ca.gov>, "Thomas, Kevin@Wildlife" <Kevin.Thomas@wildlife.ca.gov>

Subject: Caltrans 10-1K820 Highway 26/49 Intersection Control Improvement Project-CDFW CEQA comment PT 2022-0227-0000-R2

Hi Jaycee,

I hope you're doing well.

The California Department of Fish and Wildlife (CDFW) appreciates the opportunity to comment on the proposed draft Initial Study with Proposed Negative Declaration (ND) for the Highway 26/49 Intersection Control Improvement Project (Project). CDFW is responding to the draft ND as a Trustee Agency for fish and wildlife resources (Fish & G. Code, §§ 711.7 & 1802, and CEQA Guidelines, §§ 15386), and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines Section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code Sections 1600 et seq.) and/or a California Endangered Species Act (CESA) Permit for incidental take of endangered, threatened, and/or candidate species (California Fish and Game Code Sections 2080 and 2080.1).

This Project is located at the intersection on State Route 26 and State Route 49 in Calaveras County in the census-designated town of Mokelumne Hill. The Project proposes to build a single-lane roundabout at the intersection of State Route 26 and State Route 49. The Build Alternative would require additional right-of-way on State Route 26 to bring the roadway up to roadside clear recovery zone standards and accommodate utility relocation. The Project would include crosswalks, splitter islands to ensure proper speed reduction when entering the roundabout, and a raised center island and truck aprons at four outside corners of the roundabout. The roundabout would meet Surface Transportation Assistance Act standards for truck turning movements. Advance flashing beacons would be installed to warn motorists of the intersection. One permanent/independent Vehicle Detection Station with two loop detectors per lane on all four legs of the intersection is proposed. One Closed Circuit Television camera is also proposed for monitoring roadway conditions.

CDFW recommends the following item be addressed in the CEQA document:

Comment 1: Migratory birds

Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory nongame native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 et seq.). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests, and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area and impacts to the nesting birds are not sufficiently addressed in the ND (e.g., how many potential nesting trees will be trimmed or removed, how much potential foraging habitat will be lost, etc.). CDFW recommends the ND disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the ND.

To address this comment, CDFW recommends the ND describe how the considerations identified below will be implemented and incorporated into the appropriate ND section(s):

CDFW recommends Project proponent add specific avoidance and minimization measures to the Avoidance, Minimization, and/or Mitigation Measures section. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, visual barriers, and buffers, where appropriate. The ND should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. One example is nest buffer radius which can be determined by monitoring the active nests and determining the distance that activities will disturb the nesting birds. CDFW recommends all measures to

protect nesting birds should be performance-based. While some birds may tolerate disturbance within 250 feet of construction activities, other birds may have a different disturbance threshold and “take” could occur if the temporary disturbance buffers are not designed to reduce stress to that individual pair. CDFW recommends including performance-based protection measures for avoiding all nests protected under the Migratory Bird Treaty Act and Fish & G. Code. A 500-foot exclusion buffer may be sufficient; however, that buffer may need to be increased based on the birds’ tolerance level to the disturbance. It is the Project proponent's responsibility to confirm the buffer is sufficient to avoid take/nest failure. CDFW recommends a final preconstruction survey be required no more than 14 calendar days prior to the start of vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier. Monitoring of potential nesting activities in the Project area should continue, at a minimum, until the end of the avian nesting season (September 1).

Please note that when acting as a responsible agency, CEQA guidelines section 15096, subdivision (f) requires CDFW to consider the CEQA environmental document prepared by the lead agency prior to reaching a decision on the Project. Addressing CDFW's comments and disclosing potential Project impacts on CESA-listed species and any river, lake, or stream, and provide adequate avoidance, minimization, mitigation, monitoring, and reporting measures; will assist CDFW with the consideration of the ND.

Thank you.

Harvey Tran
Environmental Scientist
California Department of Fish and Wildlife
Region 2-North Central Region
Habitat Conservation Program
(916) 358-4035

Response to comment 1: Thank you for your comment. Caltrans has updated Measure BIO-1 to include more details:

A preconstruction survey for migratory birds and raptors will be required no more than 14 days before construction if construction activities occur within the migratory bird nesting season (February 1 to September 30). If migratory birds or raptors are found nesting within or next to a work area during construction, the following Environmentally Sensitive Area buffers will be required:

- If active migratory bird nests are seen, a 100-foot Environmentally Sensitive Area buffer will be required.

- If an active burrowing owl is seen during the nonbreeding season (September 1 to January 31), then a 165-foot Environmentally Sensitive Area buffer will be required. If seen during the breeding season (February 1 to August 31), then a 250-foot Environmentally Sensitive Area buffer will be required.
- If an active raptor nest is seen, a 300-foot Environmentally Sensitive Area buffer will be required. If an active Swainson's hawk nest is seen, a 600-foot Environmentally Sensitive Area buffer will be required.
- Environmentally Sensitive Area buffers will be implemented and avoided until the young have fledged or if a qualified biologist determines that construction may proceed.

This avoidance and minimization measure is included in Section 1.7 Standard Measures and Best Management Practices Included in All Build Alternatives.

Comment from Peter Minkel, Central Valley Regional Water Quality Control Board, comment received via email with a letter attachment.

Comment 1:

From: "Minkel, Peter G.@Waterboards"
<Peter.Minkel2@waterboards.ca.gov>

Date: July 8, 2022 at 2:54:50 PM PDT

To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>

Cc: "Yang, Houa@Waterboards" <Houa.Yang@waterboards.ca.gov>, WB-RB5S-chron <RB5S-chron@waterboards.ca.gov>, state.clearinghouse@opr.ca.gov

Subject: COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, HIGHWAY 26/49 INTERSECTION CONTROL IMPROVEMENT PROJECT, SCH#2022060121, CALAVERAS COUNTY

Jaycee,

Enclosed are our comments for your Project. Please email if you have any questions.

Pete

Peter Minkel

401 Water Quality Certification and Dredging Unit
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670
Email Attachment
8 July 2022

Jaycee Azevedo

California Department of Transportation, District 10

1976 Dr. Martin Luther King Boulevard

Stockton, CA 95205

Jaycee.Azevedo@dot.ca.gov

COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, HIGHWAY 26/49 INTERSECTION CONTROL IMPROVEMENT PROJECT, SCH#2022060121, CALAVERAS COUNTY

Pursuant to the State Clearinghouse's 6 June 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Negative Declaration for the Highway 26/49 Intersection Control Improvement Project, located in Calaveras County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore, our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation

Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If

a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit–Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements–Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., “non-federal” waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:
https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES

Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at:

<https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Signed Peter Minkel

Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Response to comment 1: Thank you for your comment. The project will not involve the discharge of dredged or fill material in navigable waters or wetlands or disturbance of waters of the U.S. Therefore, a Clean Water Act Section 404 Permit and a Clean Water Act Section 401 Permit are not required for this project. This project is expected to create soil disturbances of more than 1 acre. Therefore, Caltrans will obtain coverage under the Construction General Permit during the design phase of this project.

List of Technical Studies Bound Separately (Volume 2)

Air Quality Report

Noise Compliance Study

Water Compliance Memorandum

Biological Resources Evaluation (No Effect) Memorandum

Historic Property Survey Report

Historical Resources Evaluation Report

Hazardous Waste Reports

- Initial Site Assessment

Scenic Resource Evaluation

Community Impact Memorandum

Climate Change Memorandum

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

Jaycee Azevedo
District 10 Environmental Division
California Department of Transportation
1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205

Or send your request via email to: jaycee.azevedo@dot.ca.gov
Or call: 209-992-9824

Please provide the following information in your request:

Project title: Highway 26/49 Intersection Control Improvement
General location information: In Calaveras County on State Routes 26 and 49
District number-county code-route-post mile: 10-CAL-26/49-PM 18.10/18.10
Project ID number: 1019000164