

**Memorandum: CEQA Comments and Responses &
CEQA Mitigation Monitoring and Reporting Program
County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project
Yolo County, California**

Attention: Stephanie Cormier, Principal Planner
Yolo County Department of Community Services

From: Sycamore Environmental Consultants, Inc.

Subject: County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project: Response to Public Comments Received on CEQA Initial Study/Mitigated Negative Declaration (SCH# 2020099010) and CEQA Mitigation Monitoring and Reporting Program (MMRP)

Date: 26 October 2020

Introduction: In accordance with the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS-MND) for the County Road 40 (CR 40) over Cache Creek Bridge (22C-0091) Replacement Project was made available to the public and interested agencies for a 30-day review period. The review period started on 9 September 2020 and ended on 8 October 2020.

Section 1 of this memo includes all written comments received with responses to environmental issues raised by commenters on the IS-MND. Section 2 of this memo includes a Mitigation Monitoring and Reporting Program (MMRP) for the Project. The MMRP includes all project mitigation measures, describes necessary monitoring actions, as well as the timing and frequency of the prescribed monitoring activities. CEQA requires that the lead agency must also adopt an MMRP when adopting an MND.

Comments received on the IS-MND do not indicate new significant impacts or significant new information that would require recirculation of the draft IS-MND pursuant to CEQA Guidelines Section 15073.5. Because no new significant environmental issues were raised, the County has determined that a technical memorandum would be used to summarize comments and support adoption of the public draft IS-MND.

Ten comment letters were received. The table below lists the names of the individuals, organizations, and agencies that provided comments on the Initial Study/Mitigated Negative Declaration and are listed based on the date of the letter/ email. The comment letters/ emails are included followed by a response to the comment(s).

Letter	Commenter
1	Yocha Dehe Tribe, 22 September 2020
2	California Department of Fish and Wildlife (CDFW), 25 September 2020
3	Parks, Recreation, and Wildlife Committee (PRWAC), 29 September 2020
4	TULEYOME, 1 October 2020
5	Central Valley Regional Water Quality Control Board (CVRWQCB), 8 October 2020
6	Caltrans, 8 October 2020

7	C. Koehler, 9 October 2020
8	T. Marshall, 9 October 2020
9	K. Petersilie, 9 October 2020
10	Bureau of Land Management (BLM), 9 October 2020

Section 1. Responses to Comments

Some responses to comments required revisions to the IS-MND as identified within the response. In these cases, the original page number and text from the IS-MND is provided and changes are shown as ~~striketrough~~ for deletions and underline for additions.

Comment Letter 1: Yocha Dehe Tribe



YOCHA DEHE
CULTURAL RESOURCES

September 22, 2020

Yolo County - Department of Public Works
Attn: Stephanie Cormier, Principal Planner
292 West Beamer Street
Woodland, CA 95695

RE: County Road 40 Bridge Replacement Project

Dear Ms. Cormier:

Thank you for submitting the draft Initial Study/Mitigated Negative Declaration regarding the proposed County Road 40 Bridge Replacement Project, Yolo County. We appreciate your effort to contact us and wish to respond.

The Cultural Resources Department has reviewed the draft Mitigated Negative Declaration and concur. Please send us a copy of the Mitigated Negative Declaration when it is complete.

Should you have any questions, please contact the following individual:

Kristin Jensen, CRD Administrative Assistant
Yocha Dehe Wintun Nation
Office: (530) 796-0105
Email: kjensen@yochadehe-nsn.gov

Please refer to identification number YD-04242019-02 in any correspondence concerning this project.

Thank you for providing us the opportunity to comment.

Sincerely,

Tribal Historic Preservation Officer

Response 1: Yocha Dehe Tribe, Tribal Historic Preservation Officer

The comment letter from the Yocha Dehe Tribe states that they reviewed the CEQA document and concur with its findings. The commenter does not raise any new significant environmental issues.

Comment Letter 2: California Department of Fish and Wildlife – North Central Region (CDFW)

From: Quillman, Gabriele@Wildlife [<mailto:Gabriele.Quillman@wildlife.ca.gov>]

Sent: Friday, September 25, 2020 3:47 PM

To: Stephanie Cormier <Stephanie.Cormier@yolocounty.org>

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>

Subject: CDFW's comments on the IS/MND for the County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project

Dear Ms. Cormier:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Initial Study/Mitigated Negative Declaration from the County of Yolo Department of Community Services (County) for the County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW is also submitting comments as a **Responsible Agency** (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381) because, as proposed, the Project will be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.)

PROJECT DESCRIPTION SUMMARY

The Project is located near the intersection of County Road 40 and State Route 16, approximately five miles northwest of the community of Rumsey; at approximate coordinates 38.909904° North, 122.308521° West. The Project consists of the replacement of an existing structurally deficient bridge over Cache Creek with a new three-span, cast-in-place, reinforced concrete slab superstructure.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. Yolo Habitat Conservation Plan/Natural Community Conservation Plan (Yolo HCP/NCCP): The IS/MND lists the Avoidance and Minimization Measures from the Yolo HCP/NCCP that apply to the Project, and identifies which of the mitigation measures incorporate aspects of each AMM. However, the IS/MND does not include the text of each AMM, nor does it explicitly discuss how each mitigation measure incorporates the AMMs. In order to demonstrate the Project's consistency with the Yolo HCP/NCCP, CDFW recommends including the text of each of the applicable AMMs and, in cases where the wording of the mitigation measures differs from that of the AMMs, including a brief discussion of how the mitigation measures will implement the AMMs.

Comment 1

2. Special-Status Plant Species: The IS/MND identifies potential habitat for seven special-status plant species within the Project area, including bent-flowered fiddleneck (*Amsinckia lunaris*), Jepson's milk-vetch (*Astragalus rattanii* var. *jepsonianus*), big-scale balsamroot (*Balsamorhiza macrolepis*), pappose tarplant (*Centromadia parryi* ssp. *parryi*), deep-scarred cryptantha (*Cryptantha excavata*), adobe lily (*Fritillaria pluriflora*), and Colusa layia (*Layia septentrionalis*). None of these species were observed on-site during botanical surveys, however they may potentially occur at the project site in the future. Plant populations tend to be more stable and less mobile than animal populations, but changes do happen over time and plants may colonize sites that did not previously support them due to chance dispersal of seeds or other propagules via wind, water, animals, etc. Populations of annual plants are especially variable and may not be apparent every year due to variations in environmental conditions such as rain and temperature. Because five of the seven special-status plant species identified in the

Comment 2

IS/MND as having habitat present in the Project area are annuals, repeated surveys may be necessary to confirm their presence or absence. To minimize the potential impact to special-status plants, CDFW recommends that botanical surveys be repeated prior to disturbing the site if more than three years have passed since the most recent survey. If special-status plants are found on-site, the surveying biologist should propose specific avoidance measures to limit project impacts as much as possible.

Comment 3

3. Open Trenches and Holes: Mitigation measure BIO-2 requires workers to cover open trenches and holes when not in use or design them with escape ramps to allow wildlife to escape. CDFW recommends that coverings be secured snugly with no gaps or cracks between the surface of the ground and the cover, otherwise small animals may get under the cover and become trapped. This can be prevented by burying the edges of the cover under a few inches of soil or covering the area with a tarp lined with sandbags. If escape ramps are used, CDFW recommends that they be no steeper than 33° or 3:1.

Comment 4

4. Nesting Birds: Sections 3503, 3503.5, and 3513 of the Fish and Game Code protect nesting and migratory birds and birds of prey. 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. Section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the federal Migratory Bird Treaty Act

Mitigation Measure BIO-3 requires pre-construction surveys for nesting birds within 250 feet of the project area if project activities are scheduled to begin between February 1 and August 31. However, a 250-foot buffer may not be sufficient in all cases to prevent Project activities from disturbing nesting and potentially causing nest abandonment. Sensitivity to disturbance during nesting varies considerably and depends on factors such as species, location, the intensity of the disturbance, whether the nest is more sheltered or more exposed, how accustomed to disturbance the affected birds are, etc. To minimize the potential for nest disturbance, CDFW recommends that nesting surveys be conducted within a minimum of 500 feet of the Project site, and one-quarter mile for birds of prey, if possible. Surveys should be conducted no more than three (3) days prior to the start of project activities, and repeated if project activity is paused for 15 days or longer. If a nest is found or nesting/breeding activity is observed, CDFW recommends that the surveying biologist establish a suitable buffer based on the species and specific circumstances.

Please note that Fish and Game Code protections for nesting and migratory birds apply regardless of the time of year, and a few bird species (e.g., Anna's hummingbird) may nest during the winter and fall months. CDFW recommends that Mitigation Measure BIO-3 be amended to state that if an active nest is discovered outside of the typical nesting season, it should be avoided using the same avoidance measures that would be applied during the typical nesting season.

5. Roosting Bats: The IS/MND identifies on-site trees as potential roosting habitat for western red bat (*Lasiurus blossevillii*). Mitigation Measure BIO-4 proposes a two-step process for removing potential roost trees to allow roosting bats to leave before the tree is removed, and limits tree removal to between September 16 and April 14 to avoid the maternity period.

Comment 5

However, if roost trees are removed during the colder months, bats may be in hibernation and unable to escape. To avoid potential impacts to both maternity colonies and hibernating bats, CDFW recommends that tree removal be scheduled either in the spring between approximately March 1 (or when evening temperatures are above 45°F) and April 15, or in fall between approximately September 1 and October 15 (or prior to evening temperatures dropping below 45°F and the onset of rainfall greater than one-half inch in 24 hours).

6. Restoration of Temporarily Disturbed Habitat: The project is expected to impact riparian habitat, which is considered a sensitive natural community. To minimize impacts, CDFW recommends that any temporarily disturbed riparian areas be re-vegetated as soon as possible following completion of construction. If woody vegetation is removed, CDFW recommends that the trunks be cut several inches above the ground and the roots be left intact if possible, to allow re-sprouting. If the roots must be disturbed or if the vegetation is a type that does not resprout, CDFW recommends that it be replaced by planting container stock or live cuttings of locally-native riparian woody plant species. CDFW recommends that container stock and live cuttings be planted at the beginning of the rainy season to minimize the need for irrigation, and that it be monitored for a period of three to five years following planting to ensure it becomes established. Areas of disturbed soil should be seeded with locally-native grass and forb seed to minimize colonization of the site by invasive weeds. The species selected for planting should match the native species observed in the area as much as possible. Species not observed growing in the area are less likely to succeed, as their absence may be due to a lack of habitat suitability.

Comment 6

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in

order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Please direct written notifications to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the DSEIR to assist in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. If you have any questions regarding these comments, please contact me at (916) 358-2955 or gabriele.quillman@wildlife.ca.gov.

Sincerely,

Gabriele (Gabe) Quillman
California Department of Fish and Wildlife – North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670
(916) 358-2955



**As a part of a broader effort by the California Natural Resources Agency and CDFW to go paperless, CDFW will begin accepting electronic notifications for Standard Lake and Streambed Alteration Standard Agreements through CDFW's new online Environmental Permit Information Management System (EPIMS), effective August 1, 2020. As CDFW transitions to EPIMS, CDFW will continue to accept paper notifications for Standard Agreements through August 31, 2020. All notifications for Standard Agreements received on or after September 1, 2020 need to be processed through EPIMS. For more information about EPIMS, or if you need help completing your online notification, please visit the CDFW's EPIMS website at: <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>*

[THIS EMAIL ORIGINATED FROM OUTSIDE YOLO COUNTY. PLEASE USE CAUTION AND VALIDATE THE AUTHENTICITY OF THE EMAIL PRIOR TO CLICKING ANY LINKS OR PROVIDING ANY INFORMATION. IF YOU ARE UNSURE, PLEASE CONTACT THE HELPDESK (x5000) FOR ASSISTANCE]

Response 2: CDFW

Response to CDFW Comment 1

The commenter recommends including the text of each of the applicable Yolo Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP) Avoidance and Minimization Measures (AMMs) and a brief discussion of how the mitigation measures will implement the AMM. The IS-MND provides a list of applicable HCP AMM's and a description of which CEQA mitigation measures the HCP AMM's address. The biological measures presented in the IS-MND were developed in the Projects' Natural Environment Study (NES) document. The biological measures in the NES are based on and incorporate the applicable HCP/ NCCP AMM's.

The County has been coordinating with the Yolo Habitat Conservancy (YHC) during the environmental phase of the Project. An HCP application package was submitted to the YHC for review and comment in May 2020. The NES, containing the various mitigation measures, was provided to the YHC as part of the application package. No comments regarding the adequacy or consistency of the NES mitigation measures with the HCP AMM's were provided. Further, the YHC stated that the NES "described the HCP/NCCP really well, the references were accurate and the language matched that of the plan pretty well."

The CEQA IS-MND was sent to the YHC during the 30-day public review period, and County staff contacted the YHC to determine if they had comments or concerns. The YHC indicated that they have reviewed the IS-MND and have no comment. The County will continue to work with the YHC to ensure that the Project's biological mitigation measures are implemented in a manner consistent with the HCP/NCCP.

Response to CDFW Comment 2

The commenter recommends including a measure requiring botanical surveys if greater than three years have passed since the last botanical survey. The following measure has been added to the Applicant Proposed Measures (APM) is Section 5.2.4, Applicant Proposed Measures, p. 30 of the IS-MND.

- *If project construction starts and more than three years have elapsed since the 2019 survey, a qualified botanist will conduct an appropriately timed pre-construction botanical survey for the following CNPS-ranked special-status plants identified as having potential to occur in the Project area: Bent-flowered fiddleneck, Jepson's milk-vetch, Big-scale Balsamroot, Pappose tarplant, Deep-scarred cryptantha, Adobe lily, and Colusa layia. The survey will cover the entire Project area. If any non-federal-listed special-status plants are found, the location of the plants will be designated as an Environmentally Sensitive Area (ESA). ESAs containing these plants will be avoided by all construction personnel and equipment to the maximum extent practicable. If rare plant populations cannot be protected in place, the County will prepare a transplantation/ propagation plan for the relocation of the rare plant(s). Rare plant relocation will occur in a suitable area of the Project site or other appropriate County designated area. The transplantation/ propagation plan will be sent to CDFW.*

The text of the special status plants discussion in IS-MND Section 5.2.4.(a) (p. 31) was revised as follows (only the paragraph requiring the edit is included here):

“The floristic botanical survey was conducted outside of the evident and identifiable period of pappose tarplant. Tarplant (*Centromadia* sp.) species have distinct foliage and can be identified to genus when not in bloom. No *Centromadia* species were observed during the botanical survey. APM BIO-1 (General Avoidance Biological Resources) would further reduce this already less than significant impact. No Impact will occur.”

Response to CDFW Comment 3

The commenter recommends revising mitigation measure (MM) BIO-2 to include that trench or hole ‘coverings be secured snugly with no gaps or cracks between the surface of the ground and the cover’ and that if escape ramps are installed ‘they be no steeper than 33° or 3:1.’ The text in BIO-2 is taken directly from HCP AMM 4 (Cover Trenches and Holes during Construction and Maintenance). The County has revised MM BIO-2 as shown below (IS-MND Section 5.2.4, Mitigation Measures, p. 35).

MM BIO-2 Western Pond Turtle (WPT)

- *A qualified biologist shall conduct a preconstruction survey for WPT within 48 hours prior to the onset of vegetation removal or ground disturbance in the Project area.*
- *The qualified biologist will be present during installation and removal of the diversion structure and dewatering activities as applicable. If any WPT are found during diversion/dewatering activities, construction activities will stop to allow the biologist sufficient time to relocate the WPT. WPT will be relocated to the closest suitable habitat where they will not be affected by construction. Construction will resume when the biologist has either relocated the WPT out of the construction zone to nearby suitable habitat, or, after thorough inspection, determined that the WPT has moved away from the construction zone.*
- *The qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance, and will move out of harm’s way any turtles or hatchlings found.*
- *To prevent injury and mortality of wildlife, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design the trenches and holes with escape ramps that can be used during non-working hours. Trench and hole coverings will be secured snugly with no gaps or cracks between the surface of the ground and the cover. If escape ramps are used, they will be no steeper than 33° or 3:1 slope. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes.*

Response to CDFW Comment 4

The commenter recommends revised survey buffer distances and revised timing for the preconstruction nesting bird survey. The current MM BIO-3 in IS-MND Section 5.2.4, Mitigation Measures (p. 35), states that:

- *‘If construction or vegetation removal occurs between 1 February and 31 August, a biologist shall conduct a survey for active bird of prey nests within 250 ft and active MTBA bird nests within 100 ft of the Project area from accessible areas within one week prior to construction. The measures listed below shall be implemented based on the survey results.’*

CDFW recently provided comments on the CR41 Bridge over Cache Creek Project CEQA document in June 2020. The CR41 Project also included a pre-construction nesting bird survey measure. The CR41 measure included survey buffer distances of ‘0.25 mile for Swainson’s hawk, 250 feet for other raptors, and 100 feet for passerines’ and required the survey be conducted ‘no more than 14 days prior to the implementation of construction activities’. CDFW did not request any revision to the CR41 survey buffer distances or the pre-construction bird survey timing in their CEQA comments. For the CR41 Project CDFW recommended that the pre-construction bird survey measure include ‘the requirement to reinitiate nesting bird surveys, during the nesting bird season, if there is a lapse in construction activities of 14 days or longer’.

Conditions at the CR40 Project site are not substantially different than those at the CR41 site located approximately four air miles downstream. The CR40 Project area does not provide suitable nesting habitat for Swainson’s hawk and is located outside the geographic range of the species. Given the similarity between the CR40 and CR41 sites, lack of CDFW comments on the survey buffer distances and survey timing at CR41, and that the CR40 Project proposes to conduct a pre-construction nesting bird survey a full week earlier than the CR41 Project, the County has maintained the survey buffer distances and ‘within one week prior to construction’ wording.

The commenter also recommends amending MM BIO-3 (IS-MND Section 5.2.4, Mitigation Measures, p. 35) to state ‘that if an active nest is discovered outside of the typical nesting season, it should be avoided using the same avoidance measures that would be applied during the typical nesting season.’ Due to high flows the project will not be constructed outside the nesting season. The last bullet point of MM BIO-3 states:

- *“If an active nest is identified in or adjacent to the construction zone after construction has started, the above measures will be implemented to ensure construction is not causing disturbance to the nest.”*

The County believes that bullet three of MM BIO-3 satisfies CDFW’s concern.

Response to CDFW Comment 5

The commenter recommends revising the timing for tree removal (if needed) in BIO-4 (Western Red Bat). The County has revised MM BIO-4 (IS-MND Section 5.2.4, Mitigation Measures, p 37) as shown below.

MM BIO-4 Western Red Bat

- ~~If any cottonwood or willow trees will be removed by project activities, tree removal will be conducted in a two-phased approach that removes non-habitat features one day prior to habitat features. Habitat features will be determined by a qualified biologist. Non-habitat vegetation adjacent to habitat trees will be removed. Non-habitat structural features on habitat trees will also be removed. Trees will be left overnight, allowing bats potentially roosting in habitat features to vacate the tree. The remainder of the tree will be removed the following day. To avoid potential impacts to both maternity colonies and hibernating bats, tree removal (if required) will be scheduled either in the spring between approximately March 1 and April 15, or in fall between approximately September 1 and October 15.~~
- Personnel shall not attempt to directly disturb (e.g. shake, prod) roosting features, as such disturbance constitutes "harassment" under 14 CCR § 251.1.
- ~~If maternity roosts are detected, tree removal will be conducted between 16 September and 14 April to avoid the maternity period of roosting bats.~~

Response to CDFW Comment 6

The commenter includes restoration/ revegetation recommendations. Applicant Proposed Measure (APM) BIO-1 (General Avoidance Biological Resources IS-MND Section 5.2.4, Applicant Proposed Measures, p. 29) includes the following measures related to the restoration/ revegetation of temporarily disturbed areas:

- “Areas temporarily disturbed on the banks of Cache Creek will be revegetated and reseeded with native grasses and other native herbaceous annual and perennial species prior to October 15 and/or immediately after construction at the completion of the Project (Appendix G of the approved NES). The project engineer may determine that reseeded areas should be covered with a biodegradable erosion control fabric to prevent erosion and downstream sedimentation. The project engineer will determine the specifications needed for erosion control fabric (e.g., shear strength) based on anticipated maximum flow velocities and soil types. The seed type will consist of commercially available native grass and herbaceous species as described in (Appendix G of the approved NES). No seed of nonnative species will be used unless certified to be sterile.
- All vegetation to be removed should be done so using hand tools, including chain saws and mowers, and should be trimmed several inches above the ground with the roots left intact to prevent erosion.

The County believes the measure above adequately addresses the commenter’s recommendation. Further the County will be paying the required HCP mitigation fees for impacts to Valley Foothill Riparian habitat as part of the HCP/NCP application approval process.

Comment Letter 3: Parks, Recreation, and Wildlife Committee (PRWAC)

September 29, 2020

Stephanie Cormier, Principal Planner
Yolo County Department of Community Services
292 West Beamer Street
Woodland, CA 95695

RE: County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project

Dear Ms. Cormier,

The Yolo County Parks, Recreation, and Wildlife Advisory Committee recently discussed the Road 40 bridge replacement project. The Committee has concern that the Mitigated Negative Declaration states that Road 40 will not be open for vehicular traffic after the bridge is replaced. The Committee recommends that Road 40 needs be returned to the County's list of maintained roads because of its importance to the community.

Comment 1

While the new bridge will allow for fire crews to fight wildland fires on the south side of Cache Creek, maintenance of Road 40 is needed to allow for recreational use of the public lands off of Road 40. Prior to the existing bridge being unusable, the Bureau of Land Management (BLM) lands beyond the bridge were managed by BLM rangers and recreational managers. These managers maintained the trails, trailheads, and camping areas beyond the bridge. The access to Road 40 allowed the Sheriff to patrol as well as provide emergency services.

Without an open and maintained Road 40:

- The rafting concessions are unable to resume two-day trips from Buck Island, lowering revenue for the businesses, reducing local employment, and reducing concession revenue for the County.
- The Fiske Creek Campground and Buck Island Campground are not reasonably accessible for residents of Yolo County, and barely accessible for residents of Lake County due to BLM being unable to maintain the side access roads without Road 40 being maintained.
- Fiske Creek Trail and Blue Ridge Trail South trailhead will not be accessible.
- The BLM can't bring inmate crews to work on the trails, leading to them being overgrown and unusable.

Comment 2

The Committee are glad that the bridge is scheduled for replacement. In the interest of continued use of the public lands for recreation, as they were prior to 2008, we hope the County would arrange for Road 40 to be maintained and re-opened to vehicles after the bridge is completed.

Sincerely,



Nancy Ullrey, Chair
Parks, Recreation, and Wildlife Advisory Committee
Yolo County

cc: Members of the Parks, Recreation, and Wildlife Advisory Committee
Kevin Yaris, Director, Yolo County Department of General Services
Jeff Anderson, Sr. Parks Planner, Yolo County Department of General Services, Parks Division

Response 3 PRWAC

Response to PRWAC Comments 1 and 2

The County appreciates PRWAC's support for the replacement of the existing CR40 low water bridge. The commenter requests that CR 40 be returned to the County Maintained Road System.

Under CEQA, the impacts of a proposed project must be evaluated by comparing expected environmental conditions after project implementation to conditions at a point in time referred to as the baseline. The changes in environmental conditions between those two scenarios represent the environmental impacts of the proposed project. CEQA Guidelines state that generally CEQA baseline established at the time that the environmental analysis is commenced. The preliminary environmental evaluations and analyses for this Project were documented in the Project Preliminary Environment Study (PES) in 2018. For this Project the CEQA baseline conditions are those that existed in 2018.

In March of 2009, Yolo County Board of Supervisors decided through formal board action (signed Resolution 09-31) to abandon maintenance responsibilities but keep the existing public access rights. Resolution 09-31 specifically states:

- “That all road segments listed in this Resolution be removed from the County Maintained Road System in accordance with Section 954.5 of the Streets and Highways Code.”
- “That all of the road segments covered by this Resolution may be used for some or all of the purposes set forth in Government Code § 831.4, and the Board of Supervisors hereby terminates the "county highway" status of each such segment but reserves its easements (or other interests) in the same to ensure that existing public access rights are preserved.”

Yolo County ceased maintenance on CR40 in 2009 from State Route (SR) 16 to the Lake County line per Resolution 09-31. CR40 is no longer maintained by the County and its “county highway” designations have been removed, as most the road extending from Lake County to State Route 16 is not under Yolo County jurisdiction. The existing bridge will be replaced and will accommodate vehicular traffic once again. Since the remainder of the CR40 roadway is not maintained by the County, as a matter of public safety, the County believes that the gate near its intersection with SR 16 should remain normally closed/locked. Even when the CR40 gate at SR16 is closed, the bridge will be accessible to pedestrian, ATV, and equestrian traffic.

The following edits to the IS-MND were made to clarify the post project conditions for CR 40 in and outside the Project limits. The edits were made at three locations in the document. Only the paragraphs requiring the edit are included here.

IS-MND Section 4.2 (p 5):

~~“The County ceased maintenance on CR40 in approximately 2009. Because maintenance has been ceased, the County is not planning to open the road to the general motoring public. Pedestrian, ATV, horseback access will continue to be allowed. Yolo County ceased maintenance on CR40 in 2009 from State Route (SR) 16 to the Lake County line per Resolution 09-31. CR40 is no longer maintained by the County, as most the road extending from Lake County to State Route 16 is not under Yolo County jurisdiction. The existing bridge will be replaced and will accommodate vehicular traffic once again. Since the remainder of the CR40 roadway is not maintained by the County, as a matter of public safety, the County believes that the gate near its intersection with SR 16 should~~

remain normally closed/locked. Even when the CR40 gate at SR16 is closed, the bridge will be accessible to pedestrian, ATV, and equestrian traffic.”

IS-MND Section 5.2.16.a) (p 60):

- a) ***“Less Than Significant Impact.*** The existing structurally deficient CR 40 bridge over Cache Creek was closed to vehicular traffic in 2008. Yolo County ceased maintenance on CR40 in 2009 from State Route (SR) 16 to the Lake County line per Resolution 09-31. CR40 is no longer maintained by the County, as most the road extending from Lake County to State Route 16 is not under Yolo County jurisdiction. The existing bridge will be replaced and will accommodate for vehicular traffic once again. Since the remainder of the CR40 roadway is not maintained by the County, as a matter of public safety, the County believes that the gate near its intersection with SR 16 should remain normally closed/locked. Even when the CR40 gate at SR16 is closed, the bridge will be accessible to pedestrian, ATV, and equestrian traffic. The County ceased maintenance on CR40 in approximately 2009. Because maintenance has been ceased, the County is not planning to open the road to the general motoring public. Recreational uses including pedestrian, ATV, and horseback access have been and will continue to be allowed.”

IS-MND Section 5.2.17, Environmental Setting (p 61):

“The structurally deficient bridge was closed to vehicular traffic in 2008. The County ceased maintenance on CR 40 in approximately 2009. Because maintenance has been ceased, the County is not planning to open the road to the general motoring public. Pedestrian, ATV, horseback access will continue to be allowed. Yolo County ceased maintenance on CR40 in 2009 from State Route (SR) 16 to the Lake County line per Resolution 09-31. CR40 is no longer maintained by the County, as most the road extending from Lake County to State Route 16 is not under Yolo County jurisdiction. The existing bridge will be replaced and will be accommodate vehicular traffic once again. Since the remainder of the CR40 roadway is not maintained by the County, as a matter of public safety, the County believes that the gate near its intersection with SR 16 should remain normally closed/locked. Even when the CR40 gate at SR16 is closed, the bridge will be accessible to pedestrian, ATV, and equestrian traffic.”

Comment Letter 4: TULEYOME



TULEYOME

TULEYOME.ORG | EST. 2002

607 NORTH STREET
WOODLAND, CA 95695

TEL: 530.350.2599

FAX: 530.350.2729

1 October 2020

Stephanie Cormier
Principal Planner
Yolo County Department of Community Services
292 West Beamer Street
Woodland, CA 95695
Via: stephanie.cormier@yolocounty.org

RE: County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project

Dear Ms. Cormier:

Thank you for the opportunity to comment on the Road 40 Bridge Replacement Project. Tuleyome strongly supports the replacement of the Road 40 bridge and has been supportive of a replacement since the bridge was closed and deemed unusable in 2008.

Replacement of the bridge will allow for better fire response and management of the adjacent public lands in the Berryessa Snow Mountain National Monument. Prior to the existing bridge being unusable, the BLM lands beyond the bridge were managed by BLM rangers and recreational managers. These managers maintained the trails, trailheads, and camping areas beyond the bridge. The access to Road 40 allowed the Sheriff to patrol as well as provide emergency services. Without the ability to access Road 40, hikers were unable to access the Fiske Creek and Blue Ridge Trail South trailheads. Campers could not access Buck Island from Yolo County.

We do have significant concern that the *California Environmental Protection Act* Mitigated Negative Declaration states that Road 40 will not be open for vehicular traffic after replacement of the bridge. Road 40 needs to be returned to the County's list of maintained roads.

Without Road 40 being open and maintained:

- The rafting concessions are unable to run two-day trips, lowering revenue for the businesses, reducing local employment, and reducing concession revenue for the County.
- The Fiske Creek Campground and Buck Island Campground are not reasonably accessible for residents of Yolo County, and barely accessible for residents of Lake County due to BLM being unable to maintain the side access roads without Road 40 being maintained.
- Fiske Creek Trail and Blue Ridge Trail South trailheads will not be accessible.
- The BLM cannot bring inmate crews to work on the trails, leading to them being overgrown and unusable.

Tuleyome strongly supports the replacement of the Road 40 bridge across Cache Creek, and also strongly supports the future maintenance and opening of Road 40 to vehicular traffic as a result of replacement of the bridge. These two actions would restore the access and opportunities to the public that were available prior to 2008.

Comment 1

Thank you for considering our comments. Please do not hesitate to reach out to discuss any of this.

All the best,



Sandra Schubert
Executive Director

Cc: Oscar Villegas, Yolo County Board of Supervisors, District 1
Don Saylor, Yolo County Board of Supervisors, District 2
Gary Sandy, Yolo County Board of Supervisors, District 3
Jim Provenza, Yolo County Board of Supervisors, District 4
Duane Chamberlain, Yolo County Board of Supervisors, District 5
Andrew Fulks, Secretary, Tuleyome Board of Directors

Response 4: TULEYOME

Response to TULEYOME Comment 1

The letter from TULEYOME raises questions about reopening CR 40. Please see Response 3 (PRWAC).

**Comment Letter 5: Central Valley Regional Water Quality Control Board
(CVRWQCB)**

Central Valley Regional Water Quality Control Board

8 October 2020

Stephanie Cormier
Yolo County
Department of Community Services
292 West Beamer Street
Woodland, CA 95695

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, COUNTY ROAD 40 OVER CACHE CREEK BRIDGE (22C-0091) REPLACEMENT PROJECT, SCH#2020099010, YOLO COUNTY

Pursuant to the State Clearinghouse's 9 September 2020 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project, located in Yolo County.

Comment 1

Central Valley Water Board staff recommend noting implementation of APM BIO-1 and MM BIO-6 in the Hydrology and Water Quality section of the MND, specifically under a), c) and e).

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/

Total Maximum Daily Load

Portions of Cache Creek are within the project area are currently on the Clean Water Act Section 303(d) List of Impaired Waters due to boron, mercury, and toxicity.

Comment 2

Central Valley Water Board staff recommends referencing the most current 303(d) list and requirements contained in existing TMDLs for Cache Creek within the Mitigated Negative Declaration, discussing any potential short- and long-term effects of these pollutants from project activities or program level impacts, and discussing mitigation measures and/or best management practices to reduce potential effects.

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_2018_05.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/

Central Valley Water Board staff recommends listing best management practices/avoidance and minimization measures in the 401 Water Quality Certification application to reduce sediment transport, turbidity, and potential mercury transport or methylation downstream. These measures can include, but are not limited to, dewatering the in-channel work areas prior to construction and stabilizing disturbed areas prior to removing the dewatering structure, and installing turbidity curtains prior to any in-water work when dewatering is not an option.

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

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) 464-4812 or Jordan.Hensley@waterboards.ca.gov.



Jordan Hensley
Environmental Scientist

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

Response 5: CVRWQCB

Response to CVRWQCB Comment 1

The commenter recommends noting implementation of APM BIO-1 and MM BIO-6 in the Hydrology and Water Quality section of the MND, specifically under a), c) and e). The County has inserted the requested text as shown below (Section 5.2.10 a), c), and e), pp. 53-54).

- a) ***Less Than Significant Impact.*** Construction of the proposed project could introduce sediments and other contaminants typically associated with construction into stormwater runoff. Stormwater flowing over the project features during construction could carry various pollutants downstream such as sediment, nutrients, bacteria and viruses, oil and grease, heavy metals, organics, pesticides, and miscellaneous waste. These pollutants could originate from soil disturbances, construction equipment, building materials, and workers. Erosion potential and water quality impacts are always present during construction and occur when protective vegetative cover is removed and soils are disturbed. In the case of the proposed Project, it is primarily grading and excavation associated with the bridge replacement and approach work.

As discussed in Section 4.2.7.b above compliance with the various requirements of the SWRCB statewide general permit for construction will ensure that water quality impacts during the construction phase of the proposed project would be less than significant. APM BIO-1 includes implementation of the 2008 County of Yolo Improvement Standards, Section 11, Stormwater Quality, Erosion and Sediment Control and the current edition of the Caltrans Stormwater Quality Handbooks (<http://www.dot.ca.gov/hq/construc/stormwater/manuals.htm>) to further minimize these less than significant water quality impacts. Implementation of MM BIO-6 will also further minimize these already less than significant impacts.

- c) ***Less Than Significant Impact for items c-i through c-iv.*** Project grading and excavation are not anticipated to result in any changes in site drainage volume or configuration. The Project will not contribute to a substantial increase in water runoff from the site. The proposed Project does not include other activities that will change the amount of stormwater runoff.

While the proposed bridge will increase the water surface elevation upstream up to 3.1 feet, and will increase the water extents, no negative impacts are anticipated for the structures in the area. At Cache Creek Regional Park, Lower Site bathroom the finished floor elevation is 586.80 feet and the proposed water surface elevation is 582.5 feet, thus no adverse impacts are expected. The bathroom will continue to be out of the waterway and will not be affected by the proposed bridge. Finally, the upper parking lot edge of pavement is at elevation 590.71 ft. The lower region of the parking lot is flooded under existing conditions and the extent of this flooding will not increase with the proposed bridge (Avila 2019). Project impacts are less than significant. Implementation of APM BIO-1 and MM BIO-6 will also further minimize this already less than significant impact.

- e) ***Less Than Significant Impact.*** As per the Final California 2014/ 2016 Integrated Report (303(d) List/305(b) Report) (SWRCB 2018b), Cache Creek from the Clear Lake Dam to Cache Creek Settling Basin near the Yolo Bypass is a 303(d)-listed Category 5 waterbody for boron, mercury, and toxicity (source unknown). A Category 5 waterbody is a water segment where standards are not met and a total maximum daily load (TMDL) is required, but not yet completed, for at least one of the pollutants being listed for the segment. TMDL's have not been established for boron or toxicity.

A TMDL for mercury was established by the EPA on 6 February 2007 pursuant to Clean Water Act Section 303(d)(2). The beneficial uses of Cache Creek that are currently unmet due to elevated concentrations of mercury are safe fisheries for humans and wildlife. Sources of mercury entering the watershed include waste rock and tailings from historic mercury mines, erosion of naturally mercury-enriched soils, geothermal springs and atmospheric deposition.

Pinnacle Environmental, Inc. conducted a Limited Phase II soil sampling investigation to evaluate the concentrations of mercury present in the Project area soils. As discussed in Section 4.2.9 above the soils in the Project area have mercury concentrations very close to the background soils concentrations discussed Kearney's 1996 "Background Concentrations of Trace and Major Elements in California Soils".

The proposed Project is the replacement of an existing bridge and does not include activities that would conflict with or obstruct implementation of the TMDL for mercury or negatively affect any of the designated beneficial uses for surface and groundwater presented in the Water Quality Control Plan (Basin Plan) for the Sacramento and San Joaquin River Basins. Impacts would be considered less than significant.

Implementation of APM BIO-1 and MM BIO-6 will also further minimize this already less than significant impact.

Response to CVRWQCB Comment 2

The CVRWQCB 'TMDL -The Integrated Report' web page shows that the 2014-2016 Integrated Report includes 'The CURRENT 303(d) List'.

IS-MND Section 5.2.10 (Hydrology and Water Quality), Item 'e', includes an evaluation and discussion of the current TMDL's for Cache Creek. The evaluation describes a soil sampling investigation to evaluate the concentrations of mercury present in the Project area soils and refers the reader to Section 5.2.9 (Hazards and Hazardous Materials) of the IS-MND. As discussed in IS-MND 5.2.9 and 5.2.10 the soils in the Project area have mercury concentrations very close to the background soils concentrations discussed in Kearney's 1996 "Background Concentrations of Trace and Major Elements in California Soils". As requested by CVRWQCB Comment 1 reference to implementation of APM BIO-1 and MM BIO-6 was inserted for Section 5.2.10 a), c), and e) (pp. 53-55). Both APM BIO-1 and MM BIO-6 include measures to avoid and minimize impacts to water quality.

The remaining portion of the CVRWQCB comment letter reiterates standard requirements that are included in the MND document and mitigation measures.

NOTE: A typo in Section 5.2.10 a) and a typo in Section 5.2.10 e) are corrected below. Only the paragraphs requiring the edit are included here.

From Section 5.2.10 a) (pp. 52): “As discussed in Section ~~4.2.7.b~~ 5.2.7.b above compliance with the various requirements of the SWRCB statewide general permit for construction will ensure that water quality impacts during the construction phase of the proposed project would be less than significant. APM BIO-1 includes implementation of the 2008 County of Yolo Improvement Standards, Section 11, Stormwater Quality, Erosion and Sediment Control and the current edition of the Caltrans Stormwater Quality Handbooks (<http://www.dot.ca.gov/hq/construc/stormwater/manuals.htm>) to further minimize these less than significant water quality impacts.”

From Section 5.2.10 e) (pg. 54): “Pinnacle Environmental, Inc. conducted a Limited Phase II soil sampling investigation to evaluate the concentrations of mercury present in the Project area soils. As discussed in Section ~~4.2.9~~ 5.2.9 above the soils in the Project area have mercury concentrations very close to the background soils concentrations discussed Kearney’s 1996 “Background Concentrations of Trace and Major Elements in California Soils”.”

Comment Letter 6: Caltrans

DEPARTMENT OF TRANSPORTATION

District 3
703 B Street
MARYSVILLE, CA 95901-5556
(530) 634-7616
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

October 9, 2020

GTS# 03-YOL-2020-00124
SCH# 2020099010

Stephanie Cormier
Principal Planner
Department of Community Services
Yolo County
292 W. Beamer Street
Woodland, CA 95695

**County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project –
Initial Study/Mitigated Negative Declaration**

Dear Ms. Cormier:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

The Yolo County Department of Community Services, Public Works Division (County), the State of California Department of Forestry and Fire Protection (CalFire), and the Caltrans Division of Local Assistance propose to replace the existing County Road 40 (CR 40) Low Water Bridge (22C-0091) over Cache Creek. The County proposes replacing the existing structurally deficient low-water crossing bridge (22C-0091) over Cache Creek with a new structure on an improved alignment at essentially the same location as the existing bridge. The replacement structure is anticipated to be a three-span, cast-in-place, reinforced concrete slab superstructure supported on two-column pile extension bents and seat type abutments founded on 30-inch cast-in-drilled-hole concrete piles. Construction of the proposed bridge is planned to commence in spring 2021 or later. Based on the information received, Caltrans provides the following comments.

Traffic Operations

Comment 1

CR 40 has a horizontal curve alignment east and west of the State Route 16 (SR 16) and CR 40 intersection. During construction, warning flags may be needed on SR 16 for advance warning of construction trucks exiting and entering CR 40. Parking or staging equipment along SR 16 is not permitted.

Hydraulics

Comment 2

For the installation of the Rock Slope Protection (RSP), sizing should be based on Hydraulic Engineering Circular (HEC)-23 over the range of flows up to the 100-year event. It is recommended that the bridge be designed for hydraulic and debris loads based on the size of trees in the area. Consideration of the use of approach slabs is recommended.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development. If you have any questions regarding these comments or require additional information, please contact Anissa Raja, Intergovernmental Review Coordinator, at (530) 741-4507 or by email at: anissa.raja@dot.ca.gov.

Sincerely,

Alexander Fong

ALEX FONG
Acting Branch Chief, Transportation Planning – South
Planning, Local Assistance, and Sustainability
Caltrans District 3

Cc: State Clearinghouse

Response 6: Caltrans

Response to Caltrans Comment 1

The commenter suggests that warning flags may be needed on SR 16 for advance warning of construction trucks exiting and entering CR 40 and states that parking and staging are not permitted along SR16.

The County will include in the construction bid specifications that flagging and/or temporary signage will be needed on SR16 on either side of the CR40/ SR16 intersection to alert the traveling public about the possible construction trucks exiting and entering CR 40. The contractor will be required to secure an encroachment permit from Caltrans to place and maintain these signs along SR16 throughout the Project duration.

The Project will use a portion of the parking lot at the Cache Creek Lower Park Site for staging equipment and materials and parking. The construction bid specifications will also state that 'Project related parking and staging are not permitted along SR16'.

Response to Caltrans Comment 2

The commenter suggests that Rock Slope Protection (RSP) sizing should be based on Hydraulic Engineering Circular (HEC)-23 over the range of flows up to the 100-year event, that the bridge be designed for hydraulic and debris loads based on the size of trees in the area, and that the Project consider the use of approach slabs.

The RSP was designed for the 100-year event using HEC-23. The bridge was designed for stream forces in accordance with American Association of State Highway and Transportation Officials (AASHTO) Load-and-Resistance Factor Design (LRFD) Bridge Design Specification 3.7.3.1. Approach slabs are not needed based on the very low traffic volumes.

Comment Letter 7: C. Koehler

From: Catherine Koehler [<mailto:catherine.e.koehler@gmail.com>]

Sent: Friday, October 9, 2020 2:33 PM

To: Stephanie Cormier <Stephanie.Cormier@yolocounty.org>

Subject: Public Comment on CR 40 bridge replacement at Cache Creek near Hwy 16

Hi Stephanie.

I hope that email is an appropriate avenue for me to officially provide comment on the proposed replacement of the CR 40 Low Water Bridge adjacent to Hwy 16.

I fully support the replacement of the bridge, and see no problems with the technicalities associated with the physical replacement.

However, there is a contradiction with how it will be used to access the lands on the west side of Cache Creek.

In the Initial Study/Mitigated Negative Declaration (henceforth The Study) that was released in Sept 2020 -- on Page 5, section 4.2, third paragraph -- the document states:

"The County ceased maintenance on CR40 in approximately 2009. Because maintenance has been ceased, the County is not planning to open the road to the general motoring public. Pedestrian, ATV, horseback access will continue to be allowed."

Yes, maintenance has ceased, but the road is not closed to the public. The road *is* open to the general motoring public. They approach it from the Lake County direction via Morgan Valley Road, where CR40 is initially expressed as Reiff Rd (approximately 12 miles east of Lower Lake) and becomes Rayhouse Rd/Yolo CR 40 at the Lake/Yolo County line. Unfortunately, because the Low Water Bridge at Cache Creek is closed, the intrepid motoring public that travels the rather sketchy and potentially hazardous length of CR 40 from Morgan Valley to Cache Creek finds themselves in a Cul de sac that requires them to turn around and backtrack on the unmaintained CR 40. Some people also use CR 40 to access the secluded areas of the Cache Creek watershed in order to engage in activities and behaviors that are not lawful. Allowing CR 40 to be accessible from one end and not the other is awkward and encourages use by people seeking "lawless" places.

Bottom Line: Yolo county *is* currently allowing the general motoring public to travel the unmaintained CR 40. Keeping the Low Water Bridge closed to traffic does not prevent this. The Study implies that Yolo County is officially taking the stance that the unmaintained CR 40 will not be accessible to the general motoring public once the bridge is replaced. If this is indeed Yolo County's stance, then access should be restricted from the Lake County end as well. If access from Lake County is not prevented, then access from Hwy 16 should also not be prevented.

Thanks for the opportunity to provide my personal view-point.

Cheers,

Cathy Koehler

27195 Morgan Valley Rd

Lower Lake, CA 9545

(this is not a mailing address)

Response 7: C. Koehler

Response to C. Koehler Comment 1

The County appreciates the commenter's support for the Project. Please see Response 3 (PRWAC). The commenter provides information regarding the current and past use of CR 40 outside the Project area. The commenter does not raise any new significant environmental issues.

Comment Letter 8: T. Marshall

From: Tim Marshall [<mailto:tim@riopena.com>]

Sent: Friday, October 9, 2020 3:06 PM

To: Stephanie Cormier <Stephanie.Cormier@yolocounty.org>

Cc: 'Catherine Koehler' <catherine.e.koehler@gmail.com>

Subject: Public Comment on CR 40 bridge replacement at Cache Creek near Hwy 16

Hello Ms. Cormier,

My name is Tim Marshall and I reside at 27100 Reiff Rd, Lower Lake CA 95457. Cell 707-995-2962.

Kathy Koehler sent me the plans and her e mail comment for review, since we are and have been directly affected by the traffic on Reiff Rd, heading to the supposed "closed Rd" for many years.

Based on what I read, I am thrilled that the bridge will be replaced, considering the fire activity we have had to endure out here over the last 6 years, I would say it's about time. However, I fully support what Kathy Koehler said regards the access to the "closed Rd" for many years. It has been a continual battle to see illegal pot growers and others, flying down Reiff Rd to tend their crops over in the Cache Creek Watershed. Reiff Rd goes directly through our property.

In short, the "closed Rd" has not been closed at all, and is used often by motorcycle, ATV, UTV, construction and other vehicular traffic for years. I would have to ask the obvious, but how will Yolo Co stop vehicular traffic from using the bridge, notably one that can be accessed by Cal Fire and the like?

If it is anything like the Yolo / Lake Co border where a metal gate was placed in order to stop traffic from accessing the "closed Rd" many years ago. This gate was locked and was broken open every year, in some cases with a torch welder! Vehicular traffic will continue to use the new bridge unabated. This will be a problem for any of us living out here I suspect.

Thank you for the opportunity to add my 5 cents, I hope it helps. If you have any questions, always happy to assist, just give me a call my number is above.

Have a wonderful weekend.

Regards Tim Marshall

Reiff Rd, Lower Lake CA 95457.

Response 8: T. Marshall

Response to T. Marshall Comment

The County appreciates the commenter's support for the Project. Please see Response 3 (PRWAC). The commenter provides information regarding the current and past use of CR 40 outside the Project area. The commenter does not raise any new significant environmental issues.

Comment Letter 9: K. Petersilie

From: Kathy Petersilie [mailto:kathryn@riopena.com]

Sent: Friday, October 9, 2020 3:15 PM

To: Stephanie Cormier <Stephanie.Cormier@yolocounty.org>

Subject: CR 40 Bridge Replacement

Hello Ms. Cormier,

I am adding my thoughts to the opening /closure of county road 40 through Yolo and Lake County. I live on the Reiff Road portion in Lake County and have been witness to the fact the road has never been really closed in over 10 years. Weather does close parts of the road in winter months but plenty of vehicles go through the Lake County side to get to remote Yolo County areas for various legal and illegal activities. I do hope the bridge can be repaired to allow fire engine activity and law enforcement access from the Yolo side. It is a beautiful area and more people could enjoy access if Highway 16 side could be reopened. I am happy to provide additional comments through email if needed.

Thank you,

Kathy Petersilie

Response 9: K. Petersilie

Response to K. Petersilie

The County appreciates the commenter's support for the Project. The commenter provides information regarding the current and past use of CR 40 outside the Project area. The commenter does not raise any new significant environmental issues. Please see Response 3 (PRWAC).

Comment Letter 10: Bureau of Land Management (BLM)



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Ukiah Field Office

2550 North State Street, Suite 2

Ukiah, CA 95482

www.blm.gov/office/ukiah-field-office

October 9, 2020

In Reply Refer To:
9112 (CAC050)

[VIA EMAIL ONLY]

Stephanie Cormier
Principle Planner
292 West Beamer Street
Woodland, CA 95695

Dear Ms. Cormier:

Thank you for the opportunity for the Bureau of Land Management (BLM) to comment on the project, "County Road 40 over Cache Creek Bridge (22C-0091) Replacement Project." The BLM has reviewed the "Initiated Study/Mitigated Negative Declaration," and we support the project because it enhances the recreational rafting safety and experience, and allows for fire suppression equipment access to mitigate fire damage to BLM-lands beyond the bridge. Other specific comments include:

- Although BLM has no administrative need to use the County's bridge to maintain BLM-managed roads across Cache Creek, there may be on rare occasion where BLM is unable to access Fiske Creek Road and Lang's Peak Road through Lake County. Consequently, BLM may request permission to drive heavy equipment across the bridge. If permitted, the bridge would need to support at least 26,000 pounds to accommodate a BLM grader or front loader.
- BLM is satisfied with:
 - wildlife mitigation measures
 - cultural studies and consultation with tribes
- Based on the report, it states that the County does not plan to maintain County Road 40 (CR40) after the bridge is built. Therefore, the County will not allow the general motoring public to use the road. We recommend the County emphasize this aspect of the plan with the public because much of the public currently and incorrectly believes CR40 will be open to full-sized vehicles. If the County changes its plans to allow for the general motoring public, we hope the County will have enough resources to maintain the road to satisfy the public's expectations for CR40 because the BLM has no resources to assist with road maintenance.

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If you have any questions, please contact Fred Wong, Assistant Field Manager, at 707-468-4081 or wwong@blm.gov.

Sincerely,



for Nicholas Lavrov
Field Manager

Response 10: BLM

Response to BLM

The commenter does not raise any new significant environmental issues. Response to the BLM's questions are provided below.

The proposed bridge is designed per AASHTO HL-93 guidelines and as such is safe for all legal loads and can accommodate more than 26,000 pounds.

Please see Response 3 (PRWAC). The County understands that BLM has no resources to assist with road maintenance.

Section 2. Mitigation Monitoring and Reporting Program (MMRP)

Introduction

The Yolo County Department of Community Services, Public Works Division intends to replace the existing County Road 40 (CR 40) Low Water Bridge (22C-0091) over Cache Creek. The Project is located in unincorporated rural northwestern Yolo County, near the intersection of CR 40 and California State Route (SR) 16, approximately 5 miles northwest of the unincorporated community of Rumsey.

As described in the IS/MND, the Project itself incorporates a number of measures to minimize adverse effects on the environment. The IS/MND also identified several mitigation measures that are required to reduce potentially significant impacts to levels that are less than significant. This Mitigation Monitoring and Reporting Plan (MMRP) describes a program for ensuring that these mitigation measures are implemented in conjunction with the Project. Yolo County, as the lead agency under the California Environmental Quality Act (CEQA), is responsible for overseeing the implementation and administration of this MMRP. The County will designate a staff member to manage the MMRP. Duties of the staff member responsible for program coordination will include conducting routine inspections and reporting activities, coordinating with the Project construction contractor, coordinating with regulatory agencies, and ensuring enforcement measures are taken.

Regulatory Framework

California Public Resources Code Section 21081.6 and California Code of Regulations Title 14, Chapter 3, Section 15097 require public agencies to adopt a mitigation monitoring or reporting program/ plan when they approve projects under a MND. The reporting and monitoring program/ plan must be adopted when a public agency makes its findings pursuant to CEQA so that the mitigation requirements can be made conditions of Project approval.

Format of This Program

The table below lists the Project mitigation measures followed by a timing/ implementation description, the party responsible for monitoring the implementation of the measure, and location for verification date and initials. Implementation of mitigation measures is ultimately the responsibility of the County; during construction, the delegated responsibility is shared by County's contractors.

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<p>Applicant Proposed Measures (APMs): The following measures were identified by the Applicant to further reduce potential Project impacts. APM's were identified for air quality, biological resources, cultural resources, greenhouse gas emissions, hazards and hazardous materials, and noise</p>			
Air Quality	APM AQ-1	<p>General Air Quality Measures: The County or its contractor will implement the following measures to reduce tailpipe emissions from diesel-powered construction equipment.</p> <ul style="list-style-type: none"> • Maximize use of diesel construction equipment meeting CARB's 1996 or newer certification standard for off-road heavy-duty diesel engines. • Use emission control devices at least as effective as the original factory-installed equipment. • Substitute gasoline-powered for diesel-powered equipment when feasible. • The primary contractor shall be responsible to ensure that all construction equipment is properly tuned and maintained prior to and for the duration of onsite operation. • All equipment will use Tier 2 engines if available. 	Construction Phase	County/ Construction Management	
	APM AQ-2	<p>Dust Control: The County or its contractor will implement the following fugitive dust control measures.</p> <ul style="list-style-type: none"> • Watering all active construction sites at least twice daily in dry conditions, with the frequency of watering based on the type of operation, soil, and wind exposure • All disturbed areas, including storage piles, which are not being actively used for construction purposes, will be effectively stabilized using water or other approved substances. • Prohibit all grading activities during periods of high wind (over 20 miles per hour) • On-site vehicles limited to a speed that minimizes dust emissions on unpaved roads (15 mph) 	Construction Phase	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<ul style="list-style-type: none"> • Cover all trucks hauling dirt, sand, or loose materials • Cover or otherwise stabilize inactive storage piles • Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The Applicant, or its contractor, will respond to complaints and take corrective action within 48 hours • Limit the area under construction at any one time 			
Biological Resources	APM BIO-1 (Implements Yolo HCP/NCCP AMM 1, AMM 3, AMM 6, AMM 7, AMM 8)	<p>General Avoidance Biological Resources</p> <ul style="list-style-type: none"> • All vegetation to be removed should be done so using hand tools, including chain saws and mowers, and should be trimmed several inches above the ground with the roots left intact to prevent erosion. • During construction, water quality will be protected by implementation of BMPs consistent with the 2008 County of Yolo Improvement Standards, Section 11, Stormwater Quality, Erosion and Sediment Control and the current edition of the Caltrans Stormwater Quality Handbooks (http://www.dot.ca.gov/hq/construc/stormwater/manuals.htm) to minimize the potential for siltation and downstream sedimentation of Cache Creek. • Equipment will be refueled and serviced at designated construction staging areas. All construction material will be stored and contained in a designated area that is located away from channels to prevent transport of materials into the adjacent Cache Creek. The preferred distance is a minimum 100 feet from riparian habitat or water bodies. Construction vehicles and equipment will be maintained to prevent contamination of soil and water from external grease and oil and from leaking hydraulic fluid, fuel, oil, and grease. • Following completion of construction, all construction material and equipment will be removed from Cache Creek and the bed and banks of Cache Creek will be restored to approximate pre-project configurations. • Areas temporarily disturbed on the banks of Cache Creek will be revegetated and reseeded with native grasses and other native herbaceous annual and perennial species prior to October 15 and/or immediately after construction at the completion of 	Pre-Construction, Construction, and Post-Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<p>the Project (Appendix G of the approved NES). The project engineer may determine that reseeded areas should be covered with a biodegradable erosion control fabric to prevent erosion and downstream sedimentation. The project engineer will determine the specifications needed for erosion control fabric (e.g., sheer strength) based on anticipated maximum flow velocities and soil types. The seed type will consist of commercially available native grass and herbaceous species as described in (Appendix G of the approved NES). No seed of nonnative species will be used unless certified to be sterile.</p> <ul style="list-style-type: none"> • Equipment within the creek channel will need to be supported on temporary platform or gravel bars. No equipment will be allowed to drive into an unprotected creekbed. • All mud and debris will be washed off construction equipment prior to entering and leaving the site. • Invasive plant material removed during vegetation clearing will be bagged, sealed, transported, and disposed of at a County-approved landfill or incinerator in a manner that prevents invasive plant material (seeds, plant fragments, etc.) from escaping. • As applicable, workers will direct all lights for nighttime lighting of project construction sites into the project construction area and minimize the lighting of natural habitat areas adjacent to the project construction area. • If project construction starts and more than three years have elapsed since the 2019 survey, a qualified botanist will conduct an appropriately timed pre-construction botanical survey for the following CNPS-ranked special-status plants identified as having potential to occur in the Project area: Bent-flowered fiddleneck, Jepson’s milk-vetch, Big-scale Balsamroot, Pappose tarplant, Deep-scarred cryptantha, Adobe lily, and Colusa layia. The survey will cover the entire Project area. If any non-federal-listed special-status plants are found, the location of the plants will be designated as an Environmentally Sensitive Area (ESA). ESAs containing these plants will be avoided by all construction personnel and equipment to the maximum extent practicable. If rare plant populations cannot be protected in place, the County will prepare a transplantation/ propagation plan for the relocation of the rare plant(s). Rare plant relocation will occur in a suitable area of the Project site or other appropriate County designated area. The transplantation/ propagation plan will be sent to CDFW. 			

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
Cultural Resources	APM CULT-1	<p>Unanticipated Discoveries</p> <ul style="list-style-type: none"> Contract provisions will require notification of the County and compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Sections 5097.5, 5097.9 et seq., regarding the discovery and disturbance of cultural materials or human remains should any be discovered during project construction. 	Construction Phase	County/ Construction Management	
Hazards and Hazardous Materials	APM HAZ-1	<p>Cal/OSHA Worker Health and Safety</p> <ul style="list-style-type: none"> Contract provisions will require a licensed asbestos contractor, certified by the State of California, and registered with Cal/OSHA to perform any asbestos related removal work. For compliance with Title 8, Section 341.9, the asbestos contractor must send written notice at least one day (24 hours) prior to start of any work which will impact any amount of asbestos to the local office for the State of California, Department of Occupational Safety and Health, and perform all work in accordance with Cal/OSHA requirements. 	Pre-Construction and Construction Phases	County/ Construction Management	
Noise	APM NOI-1	<p>Noise Controls</p> <ul style="list-style-type: none"> Project plans and specifications will include provisions requiring the contractor to make every reasonable effort to minimize construction noise through abatement measures such as work-hour controls and maintenance of muffler systems. 	Construction, Phase	County/ Construction Management	
		<p>Mitigation Measures: The following mitigation measures were identified to reduce impacts to less than significant</p>			
Biological Resources	MM BIO-1 (Implements Yolo	<p>Foothill Yellow-Legged Frog (FYLF)</p> <ul style="list-style-type: none"> Within 48 hours prior to the start of work within or along Cache Creek, a qualified biologist will conduct a preconstruction survey for all life stages (i.e. eggs, tadpoles, froglet, adult) of FYLF, and other special-status amphibians and reptiles. The survey 	Pre-Construction and Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
	HCP/NCCP AMM 6)	<p>area will include the construction area and the creek for 500 feet upstream and downstream of the existing bridge. If the qualified biologist discovers any life stage of special-status amphibians or reptiles, a biological monitor experienced with the identification and biology of the species will monitor construction activities within the disturbance area to verify that no special-status amphibians or reptiles are harmed.</p> <ul style="list-style-type: none"> All construction personnel will participate in a worker environmental training program approved/authorized by the Conservancy and administered by a qualified biologist. The training will provide education regarding sensitive natural communities and covered species and their habitats, the need to avoid adverse effects, state and federal protection, and the legal implications of violating the FESA and NCCPA Permits. Prior to the start of construction, a qualified biologist will conduct a training session for all construction personnel that includes a description of special-status species with potential to occur in the construction area and their habitat. The training will explain who to contact and how to proceed if FYLF or other special-status species are encountered. The training will describe the specific measures to be implemented to avoid impacts to these species. 			
	MM BIO-2 (Implements Yolo HCP/NCCP AMM 4, AMM 14)	<p>Western Pond Turtle</p> <ul style="list-style-type: none"> A qualified biologist shall conduct a preconstruction survey for WPT within 48 hours prior to the onset of vegetation removal or ground disturbance in the Project area. The qualified biologist will be present during installation and removal of the diversion structure and dewatering activities as applicable. If any WPT are found during diversion/dewatering activities, construction activities will stop to allow the biologist sufficient time to relocate the WPT. WPT will be relocated to the closest suitable habitat where they will not be affected by construction. Construction will resume when the biologist has either relocated the WPT out of the construction zone to nearby suitable habitat, or, after thorough inspection, determined that the WPT has moved away from the construction zone. The qualified biologist will monitor all initial ground disturbing activity for nests that may be unearthed during the disturbance, and will move out of harm's way any turtles or hatchlings found. 	Pre-Construction and Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<ul style="list-style-type: none"> To prevent injury and mortality of wildlife, workers will cover open trenches and holes associated with implementation of covered activities that affect habitat for these species or design the trenches and holes with escape ramps that can be used during non-working hours. Trench and hole coverings will be secured snugly with no gaps or cracks between the surface of the ground and the cover. If escape ramps are used, they will be no steeper than 33° or 3:1 slope. The construction contractor will inspect open trenches and holes prior to filling and contact a qualified biologist to remove or release any trapped wildlife found in the trenches or holes. 			
	MM BIO-3	<p>Nesting Birds Listed Under the Federal MBTA, State MBPA, or Regulated by CA Fish and Game Code: Under the MBTA, nests that contain eggs or unfledged young are not to be disturbed during the breeding season. Nesting or attempted nesting by migratory birds and birds-of-prey is anticipated from 1 February to 30 September.</p> <ul style="list-style-type: none"> If construction begins outside the 1 February to 31 August breeding season, there will be no need to conduct a preconstruction survey for active nests. Vegetation (trees and shrubs) scheduled for removal should be removed during the non-breeding season from 1 September to 31 January. If construction or vegetation removal occurs between 1 February and 31 August, a biologist shall conduct a survey for active bird of prey nests within 250 ft and active MTBA bird nests within 100 ft of the Project area from accessible areas within one week prior to construction. The measures listed below shall be implemented based on the survey results. <p><i>No Active Nests Found:</i></p> <ul style="list-style-type: none"> If no active nest of a bird of prey, MBTA bird, or other CDFW protected bird is found, then no further avoidance and minimization measures are necessary. <p><i>Active Nests Found:</i></p> <ul style="list-style-type: none"> If an active nest of a bird of prey, MBTA bird, or other CDFW protected bird is discovered that may be adversely affected by construction activities or an injured or killed bird is found, immediately: 	Pre-Construction and Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)						
		<ul style="list-style-type: none"> ○ Stop all work within a 300-ft radius of the discovery. ○ Notify the Engineer. ○ Do not resume work within the specified radius of the discovery until authorized. <ul style="list-style-type: none"> ● The biologist shall establish a minimum 300-foot ESA if the nest is of a bird of prey, and a minimum 100-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey. <p>Bird Species Protection Areas</p> <table border="1" data-bbox="453 639 1299 794"> <thead> <tr> <th><i>Protected Bird Type</i></th> <th><i>Size of Protection Area (ESA)</i></th> </tr> </thead> <tbody> <tr> <td><i>Bird of prey or rookery</i></td> <td><i>300 ft no-disturbance buffer</i></td> </tr> <tr> <td><i>MBTA protected bird (not bird of prey)</i></td> <td><i>100 ft no-disturbance buffer</i></td> </tr> </tbody> </table> <ul style="list-style-type: none"> ● Activity in the ESA will be restricted as follows: <ul style="list-style-type: none"> ○ Do not enter the ESA unless authorized. ○ If the ESA is breached, immediately: <ul style="list-style-type: none"> ▪ Secure the area and stop all operations within 60 feet of the ESA boundary. ▪ Notify the Engineer and CDFW. ○ If the ESA is damaged, County determines what efforts are necessary to remedy the damage and who performs the remedy. ● No construction activity shall be allowed in the ESA until the biologist determines that the nest is no longer active, or unless monitoring determines that a smaller ESA will protect the active nest. ● The ESA may be reduced if the biologist monitors the construction activities and determines, in consultation with CDFW, that no disturbance to the active nest is occurring. Reduction of the ESA depends on the species of bird, the location of the 	<i>Protected Bird Type</i>	<i>Size of Protection Area (ESA)</i>	<i>Bird of prey or rookery</i>	<i>300 ft no-disturbance buffer</i>	<i>MBTA protected bird (not bird of prey)</i>	<i>100 ft no-disturbance buffer</i>			
<i>Protected Bird Type</i>	<i>Size of Protection Area (ESA)</i>										
<i>Bird of prey or rookery</i>	<i>300 ft no-disturbance buffer</i>										
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Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<p>nest relative to the Project, Project activities during the time the nest is active, and other Project-specific conditions.</p> <ul style="list-style-type: none"> Between 1 February and 30 September, if additional vegetation removal is required after construction has started, a survey will be conducted for active nests in the area to be affected. If an active nest is found, the above measures will be implemented. If an active nest is identified in or adjacent to the construction zone after construction has started, the above measures will be implemented to ensure construction is not causing disturbance to the nest. 			
	MM BIO-4	<p>Western Red Bat</p> <ul style="list-style-type: none"> To avoid potential impacts to both maternity colonies and hibernating bats, tree removal (if required) will be scheduled either in the spring between approximately March 1 and April 15, or in fall between approximately September 1 and October 15. Personnel shall not attempt to directly disturb (e.g. shake, prod) roosting features, as such disturbance constitutes "harassment" under 14 CCR § 251.1. 	Pre-Construction Phase	County/ Construction Management	
	MM BIO-5 (Implements Yolo HCP/NCCP AMM 1, AMM 3, AMM 8, AMM 9)	<p>Valley Foothill Riparian</p> <ul style="list-style-type: none"> Environmentally Sensitive Area (ESA) fencing will be used to delimit work areas in the vicinity of protected resources. The limits of construction will be marked with temporary fencing or flagging. Trucks and other vehicles will not be allowed to park beyond, nor shall equipment be stored beyond, the fencing. No vegetation removal or ground disturbing activities will be permitted beyond the fencing. Incorporation of this measure will help ensure that trees are not impacted beyond what is permitted by construction entitlements. If avoidance is infeasible, a lesser buffer or encroachment into the sensitive natural community may be allowed if approved by the Conservancy if it is determined that the sensitive natural community or covered species is avoided to an extent that is consistent with the project purpose. 	Pre-Construction and Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
	MM BIO-6 (Implements Yolo HCP/NCCP AMM 10)	<p>Cache Creek</p> <ul style="list-style-type: none"> The Project will acquire applicable permits from the Corps, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife prior to conducting any work in the creek. The Project will abide by the terms of permits acquired, including any limited operating periods restricting the time of year when work in the creek may occur. If work in the flowing portion of the stream is unavoidable, the entire stream flow shall be diverted around or through the work area during the excavation and/or construction operations. Sufficient water shall at all times be allowed to pass downstream to maintain aquatic life below the project area. Any temporary dam or other artificial obstruction constructed shall only be built from clean materials such as k-rails, water pillows, silt fencing, gravel, sandbags, visqueen sheeting, steel sheet piles, or similar materials to create a cofferdam which will cause little or no siltation. Stream diversions shall be removed prior to the winter period. Any temporary diversion structure will be designed so that fish passage is maintained through the Project site. The diversion will not create an impassible barrier to fish passage. The contractor will prepare a creek dewatering plan that complies with any applicable permit conditions. Water diversion in Cache Creek will be conducted in accordance with the Yolo County Stormwater Management Plan (Yolo Co, 2004). If creek diversion is required, a qualified biologist will conduct a survey of the area to be diverted prior to diversion installation. The qualified biologist will be present during installation and removal of the diversion structure and dewatering activities. If pumps are used to temporarily divert or dewater the impoundment on Cache Creek to facilitate construction, an acceptable fish screen must be used to prevent entrainment or impingement of small fish. All temporary diversion structures and materials will be removed from the creek prior to the completion of the Project. The project will develop a dewatering plan in accordance with Section 13 Water Pollution Control of the Caltrans Standard Specifications. 	Pre-Construction Construction, and Post-Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
Cultural Resources	MM-CULT-1	<p>Cultural Resource Protections</p> <ul style="list-style-type: none"> To ensure protection of the archeological/ historical sites against inadvertent impacts, the Project will implement the approved Environmentally Sensitive Area (ESA) Action Plan. No project work or staging will be allowed within the ESA. The ESA will be clearly delineated on construction plans and specifications. A line of boulders will be set along the northern side of the CR 40 road fill, south of the bridge within the Project limits, to limit vehicular traffic into the area of Yocha Dehe concern. South of the Cache Creek bridge within the Project limits the existing grade will be elevated with imported fill material and confined to the existing footprint of the road. Prior to the initiation of construction, all construction personnel will be trained by a qualified archaeologist meeting federal criteria under 36 CFR 61 regarding the recognition of possible buried cultural resources (i.e., prehistoric and/or historical artifacts, objects, or features) and protection of all archaeological resources during construction. Training will inform all construction personnel of the procedures to be followed upon the discovery of cultural materials. All personnel will be instructed that unauthorized removal or collection of artifacts is a violation of State law. Any excavation contract (or contracts for other activities that may have subsurface soil impacts) will include clauses that require construction personnel to attend the Workers' Environmental Training Program, so they are aware of the potential for inadvertently exposing buried archaeological deposits. Construction within the Project limits will involve ground disturbance. Ground disturbing activities will be monitored by a tribal cultural monitor and a qualified archaeologist meeting federal criteria under 36 CFR 61. Any buried cultural material encountered during ground-disturbing activities should be identified and evaluated on-site by the qualified archaeologist. If previously unidentified cultural resources are identified during ground disturbance activities, work within 25 feet of the find will be halted and directed away from the discovery until the archaeologist assesses the potential significance of the resource in terms of eligibility for listing on the CRHR. If assessed as potentially eligible, the archaeologist, in consultation with the CEQA lead agency, State Historic Preservation Officer, and the Yocha Dehe Wintun Nation, will make the necessary plans for treatment of the find(s). 	Pre-Construction and Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
Geology and Soils	MM GEO-1	<p>Unanticipated Paleontological Discoveries</p> <ul style="list-style-type: none"> Implement Caltrans Standard Specification 14-7.03, which requires that if unanticipated paleontological resources are discovered, work shall halt within 60 feet of the discovery and the engineer shall be notified. If paleontological resources (i.e., fossils) are discovered during project construction, all work within 60 feet of the discovery site will stop until a qualified paleontologist can assess the importance of the find and recommend appropriate treatment. Yolo County will be responsible for ensuring that recommendations regarding treatment are implemented. 	Construction Phase	County/ Construction Management	
Recreation	MM REC-1	<p>Recreational Raft Portage</p> <ul style="list-style-type: none"> Prior to start of and during construction, a floating barricade and portage signage for recreational rafters will direct them out of Cache Creek upstream of the construction zone and around the bridge construction site to a Creek entrance location downstream of the existing bridge. 	Pre-Construction and Construction Phases		
Tribal Cultural Resources	MM CULT-1	Implementation of MM CULT-1 above will reduce potential tribal cultural resource impacts to less than significant.	Pre-Construction and Construction Phases	County/ Construction Management	
Wildfire	MM WILD-1	<p>Fire Protection Measures</p> <ul style="list-style-type: none"> Comply with applicable state and/or local requirements to ensure accessibility and ground clearance of emergency vehicles (i.e. fire engines). Internal combustion engines, stationary and mobile, will be equipped with spark arresters. Spark arresters shall be in good working order. Contractor will keep all construction sites and staging areas free of grass, brush, and other flammable materials. Personnel will be trained in the practices of the fire safety relevant to their duties. 	Construction Phases	County/ Construction Management	

Environmental Factor	Measure #	Environmental Protection Measure	Timing/ Implementation	Enforcement/ Monitoring	Verification (Date/ Initials)
		<ul style="list-style-type: none"> • Work crews will be required to park vehicles away from flammable vegetation, such as dry grass and brush. At the end of each workday, heavy equipment will be parked over mineral soil, asphalt, or concrete, where available. • Work crews will have fire-extinguishing equipment on hand, as well as emergency numbers and cell phone or other means of contacting the Fire Department. Construction and maintenance personnel shall be trained and equipped to extinguish small fires. • Smoking will be prohibited while operating equipment and shall be limited to designated areas. Smoking will be prohibited within 30 feet of any combustible material storage area (including fuels, gases, and solvents). Smoking will be prohibited in any location during a Red Flag Warning issued by the National Weather Service for the project area (“Red-Flag Warning” is a term used by fire-weather forecasters to call attention to limited weather conditions of particular importance that may result in extreme burning conditions.) 			