Initial Study/
Mitigated Negative Declaration

for the

Rubicon Trail at Ellis Creek Bridge
Low Water Crossing Conversion Project

November 2010

El Dorado County
Department of Transportation
El Dorado County
2850 Fairlane Court
Placerville, CA 95667

[Blank Page]

PROJECT INFORMATION

1. Project Title: Rubicon Trail at Ellis Creek Bridge Low Water Crossing Conversion Project

2. Lead Agency Name and Address:
El Dorado County
Department of Transportation
2850 Fairlane Court
Placerville, CA 95667

3. Contact Person and Phone Number:
Ms. Janet Postlewait, Principal Planner
(530) 621-5993
janet.postlewait@edcgov.us

4. Project Location: Rubicon Trail at Ellis Creek is located in the Sierra Nevada Mountains in northeastern El Dorado County, approximately 2.2 mi from Loon Lake along the Rubicon Trail.

5. Description of Project:
The El Dorado County (County) Department of Transportation (DOT) proposes to construct the Rubicon Trail at Ellis Creek Bridge Low Water Crossing Conversion project (Project) which includes installation of a new 16 ft wide, prefabricated, steel-truss bridge downstream of the existing low-water crossing through Ellis Creek on the Rubicon Trail. The project area is 1.42 acre. The Project is proposed for construction in 2011 or 2012.

6. General plan designation: NR: Natural Resources

7. Zoning: TPZ: Timberland Preserve Zone District

8. Surrounding Land Uses and Setting:

The Project is located in the Sierra Nevada Mountains in northeastern El Dorado County, approximately 3 air miles northeast from the Loon Lake Chalet and approximately 10 air miles west of Lake Tahoe. The Project is located in the U.S. Forest Service Eldorado National Forest (ENF). The unpaved Rubicon Trail and Ellis Creek are the main physical features in the project area. Ellis Creek flows in a southeasterly direction through the project area. Cleared areas used for parking and undeveloped camp sites occur on the south side of Ellis Creek. El Dorado County installed a septic toilet on the north side of the Rubicon Trail, northeast of the existing low water crossing, in October 2010. Elevation in the project area ranges from approximately 6,550 to 6,600 ft above sea level.

9. Other Public Agencies Whose Approval May Be Required (e.g., permits, financing approval, or participation agreement):

The Project may require permits or approvals from the following:

- California Department of Transportation — National Environmental Policy Act (NEPA) documentation
- U.S. Forest Service — National Environmental Policy Act (NEPA) documentation, Special Use Permit, and Easement
- U.S. Army Corps of Engineers — Section 404 Clean Water Act Nationwide Permit
- Central Valley Regional Water Quality Control Board — Section 401 Water Quality Certification
- State Water Resources Control Board — Statewide General Permit for Discharges of Storm Water Associated with Construction Activity
- California Department of Fish and Game — Streambed Alteration Agreement
- El Dorado County Air Quality Management District — Fugitive Dust Plan Approval
- Placer County Air Pollution Control District — Fugitive Dust Plan Approval

Table of Contents

List of Figures

List of Tables

1. INTRODUCTION

The El Dorado County (County) Department of Transportation (DOT) is conducting a California Environmental Quality Act (CEQA) review of the proposed Rubicon Trail at Ellis Creek Low Water Crossing Project (Project). The County DOT is the CEQA lead agency and has prepared this Initial Study to consider the potential for the project to result in one or more significant impacts to the environment pursuant to the California Environmental Quality Act (CEQA) of 1970, as amended (Public Resources Code, Section 21000, et seq.). Measures have been incorporated into the Project to avoid or mitigate the potential environmental effects. Therefore the County may complete the project CEQA review with a Mitigated Negative Declaration.

The remainder of this document is organized into the following sections:

- **Section 2, Project Description**—Provides a detailed description of the proposed Project;
- **Section 3, Initial Study Checklist and Supporting Documentation**—Provides CEQA Initial Study Resource impact checklists and supporting documentation. Identifies the thresholds of significance, evaluates potential impacts, and describes mitigation necessary to reduce impact significance;
- **Section 4, Initial Study Findings**—Provides a determination of the County's CEQA findings;
- **Section 5, Supporting Information Sources**—Identifies the personnel responsible for the preparation of this document and provides a list of the references cited throughout the document.

2. PROJECT DESCRIPTION

2.1. Location

The Project is located approximately 2.2 miles (mi) east of Loon Lake along the Rubicon Trail (Figures 1 and 2; figures are provided at the end of the chapter). Forest Service Road 14N05 ends in Placer County approximately 450 feet north of the creek crossing. There is no authorized motorized vehicle connectivity between 14N05 and Ellis Creek. The Rubicon Trail is unpaved and is used by off-highway vehicles (OHV). Vehicles cross Ellis Creek by fording the creek.

In October 2010, ENF signed a Special Use Permit (SUP) which authorized El Dorado County to install, operate, and maintain a toilet facility and septic transfer vault near the Ellis Creek crossing of the Rubicon Trail. The SUP authorized the construction of a service road from the end of 14N05 to the toilet and two gates to prevent unauthorized use of the service road. The work was completed in October 2010.

The Project area consists of the areas in the immediate vicinity of the bridge, along the Rubicon Trail, an associated staging area at the end of Forest Service Road 14N05 to be used for temporary vehicle parking and storage of construction materials and equipment, and a service road between 14N05 and the bridge site (Figure 3). The project occurs on the Wentworth Springs U.S. Geological Survey 7.5-minute topographic quadrangle (T14N, R15E, sections 28 and 33).

2.2. Project Purpose and Objectives

County DOT, in conjunction with the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA), is proposing to construct a new bridge on the Rubicon Trail over Ellis Creek. The proposed project is to construct a new, 16 ft wide, prefabricated steel truss bridge approximately 60 feet downstream of the existing Ellis Creek low water crossing.

The increase in the numbers and types of vehicles using the Rubicon Trail has resulted in a need for greater management in order to provide both environmental protection and vehicle safety. There is a need to provide a bridge crossing at Ellis Creek to reduce the amount of sediment and petroleum products that enter this creek from vehicle crossings as well as from trail approaches. A bridge crossing will also reduce the turbidity of the creek from tires disturbing the natural stream bed.

In addition to federal funding, El Dorado County received a grant from the California Department of Parks and Recreation Division of Off-Highway Motor Vehicle Recreation to plan a new crossing for the Rubicon Trail over Ellis Creek that would reduce pollution of sediment and petroleum products in Ellis Creek. On 30 April 2009 the California Regional Water Quality Control Board, Central Valley Region, adopted a Cleanup and Abatement Order (CAO; No. R5-2009-0030) requiring El Dorado County and the Eldorado National Forest to cease the discharge of sediment and other wastes due to motorized use of Rubicon Trail. One of the actions specifically required by the CAO is the construction of a bridge at Ellis Creek

2.3. Project Description

A 16-foot wide, prefabricated, steel-truss bridge design was chosen because the unpaved Rubicon Trail is primarily an OHV road that carries relatively low traffic volumes and low speeds. A 16-ft wide bridge minimizes the project construction footprint. The bridge abutments will be located in the uplands outside the ordinary high watermark (OHWM) of Ellis Creek in order to obtain the bridge height and span length necessary to pass 100-year flows. The foundation type for the bridge abutments will be spread footings. The new bridge will be 16 ft wide and approximately 70 ft long. The new bridge will be located downstream of the existing crossing because that location avoids two ephemeral channels, the cross-

section of Ellis Creek is better suited to passing floods, and the southern approach to the bridge will make use of areas that have already been disturbed.

Rock slope protection (RSP) will be placed around the bridge abutments and upstream of the proposed bridge along the outside curve of Ellis Creek to prevent scour. The RSP would extend from the bridge abutments to the toe of the Ellis Creek bank below the OHWM. Large boulders will be placed at both sides of both bridge approaches to guide vehicles to the bridge and protect the bridge from being damaged by errant vehicles. Downed trees in the creek, such as the ones observed in 2009, will be removed from the creek. Construction staging will occur in the existing clearing at the end of USFS road 14N05 and in clearings south of the proposed bridge that is an unimproved campground. The staging area at the end of USFS road 14N05 is in Placer County.

The County is in the process of applying for an easement from the United States Department of Agriculture, ENF for the Rubicon Trail alignment adopted by the Board on January 26, 2010, from the Wentworth Springs Campground to the El Dorado/Placer County line, which crosses federal land. This easement is not intended to supplant, replace, diminish or alter whatever rights-of –way may exist under Revised Statutes section 2477. The bridge and road approaches within the project area will be included in the easement.

The County considered other low water crossing conversions. Leaving the current low-water crossing in Ellis Creek does not meet the County's need to improve water quality in Ellis Creek. Construction of an improved low-water crossing alternative would involve paving the existing low-water crossing in Ellis Creek. This was rejected because it would not meet the County's need to stop vehicles from crossing through the creek to improve water quality. It also has the potential to change the hydraulic gradient of the creek. The low arch bridge design would involve constructing a bridge at the existing low-water crossing in Ellis Creek within the 100-year floodplain. The bridge would be above water levels during the summer low-flow months and would be overtopped during the winter and spring high-flow periods. This alternative was rejected because the bridge would not be able to pass large woody debris during high-flow periods and would be at increased risk of washing out. This bridge design would not meet Caltrans' load requirements and requirements by Caltrans and the Sierra Nevada Forest Plan Amendment to be able to pass 100-year flows and debris.

The existing road crosses the creek at a low spot on the south bank. An ephemeral channel, which flows easterly roughly parallel to Ellis Creek, intersects the existing road and sheet flows across the road north to Ellis Creek. The new bridge at the existing crossing would require raising the grade of the road approach so the bridge could be elevated above the floodplain, where it could pass floods and debris under the bridge. The ephemeral channel would be reconstructed to parallel the road approach. The bridge would be longer, compared to the downstream alternative, because the creek is wider at this location.

An upstream location for the bridge is not preferred. It would require the relocation of two ephemeral channels. The larger of the two channels flows easterly roughly parallel to Ellis Creek. A second ephemeral channel drains north and intersects the first ephemeral channel. An upstream location would need to culvert or realign one or both of the ephemeral channels. An upstream bridge would result in greater impacts to red fir forest because the bridge approaches would be placed in more areas that are not currently disturbed. In addition, the geometry of the Ellis Creek cross-section upstream of the existing crossing is less suited to passing floods under a bridge than the downstream cross-section.

2.4. Construction Methods

A construction staging area has been identified at the end of USFS road 14N05. Construction vehicles will use a service road located at the end of USFS road 14N05 to reach the Rubicon Trail at Ellis Creek. Construction vehicles may use the existing low-water crossing in Ellis Creek to access the east side of the creek. The use of the low-water crossing is consistent with the existing disturbance in the creek from

OHV crossing at this location. Driving through the creek at this location is part of the baseline conditions and is not considered in-water work. The Rubicon Trail will be minimally re-aligned to access the new bridge and will conform to the existing overall alignment. The Rubicon Trail will remain open to the public during construction. The new bridge will be brought to the site in segments on a flatbed truck and will be assembled on-site and set into place using a crane.

The County is evaluating the use of a staging area at Loon Lake where the bridge could be assembled. The assembled bridge may be transported via helicopter to the bridge site and lowered into place over Ellis Creek. One potential staging area would be at the Loon Lake Dam outfall, where the Ellis Creek intertie begins. This site is a previously disturbed parking area atop granite rock, with an on-site restroom and good access. This staging area is accessed from the end of Ice House Road, which is all paved except the final 0.75 miles is gravel. This staging area is located approximately 1.35 mi (straight line) to the Ellis Creek bridge site. A second potential staging area is on a quarry/helispot near the Loon Lake Chalet, located approximately 3 mi (straight line) to the Ellis Creek bridge site.

Construction of the bridge may require water diversions on Ellis Creek. Temporary diversion systems shall be constructed, maintained, and later removed at the locations shown on the approved Storm Water Pollution Prevention Plan (SWPPP) in conformance with water pollution control practices for non-storm water management. Streamflow would be directed through diversion dams to allow for access into the creek for the bridge construction. The diversion would constructed using methods such as water pillows, rock, sandbags, sheet piling, pipes or coffer dams, or other structural methods approved by the Project Engineer and DFG.

Groundwater and seepage in excavated areas will be removed in accordance with Section 401 of the Clean Water Act (CWA). Pumps may be used to pump water from within the work area. Clean, non-turbid water would be returned to the creek. Turbid water shall be detained until it has settled, at which time it will be returned to the creek channel. Best management practices (BMPs) will be implemented during construction to prevent concrete or other materials from entering the channel.

Upon completion of construction activities within the creek bed, the temporary diversion structures will be removed. The dams will be removed, beginning downstream and progressing upstream. All gravel bags will be removed in their entirety from the project site, and the creek bed returned to its pre-project conditions.

The existing low-water crossing and approaches will be abandoned after completion of the bridge. The upland approaches will be covered with logs and branches, erosion control materials will be installed along the margin of Ellis Creek, and upland and riparian areas will be planted, upon abandonment of the existing crossing to discourage use by OHVs. Portions of the creek bank temporarily impacted will be revegetated for erosion control. Specific revegetation methods are described in the Revegetation Planting and Erosion Control Specifications in the Natural Environment Study.

No utilities exist within the study area. No water or waste water services exist within the study area.

Construction is anticipated to take approximately three months. General bridge construction equipment expected to be used includes, but is not limited to, haul trucks, cranes, excavators, gradalls, backhoes, dump delivery trucks, concrete boom pump, and service vehicles.

2.5. Construction Contract

The County DOT would retain a construction contractor to construct the proposed improvements. The contractor would be responsible for compliance with all applicable rules, regulations, and ordinances associated with proposed Project activities and for implementing construction-related mitigation measures. County DOT would provide construction contractor oversight and management and would be responsible for verifying implementation of the mitigation measures. The contractor would construct the

proposed Project in accordance with the Public Contracts Code of the State of California, the State of California Department of Transportation Standard Plans and Standard Specifications, and the Contract, Project Plans, and Project Special Provisions under development by the County DOT. The Project will incorporate the U.S. Forest Service's "Water Quality Management for Forest System Land in California: Best Management Practices" (USDA 2000). The following are a combination of standard and project-specific procedures/requirements applicable to project construction:

- Construction contract special provisions will require that a traffic management plan be prepared. The traffic management plan will include construction staging and traffic control measures to be implemented during construction to maintain and minimize impacts to traffic during construction. Minor traffic stoppages or delays may be allowed if necessary during project construction. Minor traffic stoppages or delays may be allowed if necessary during project construction;
- Contract special provisions will require compliance with El Dorado County Air Quality Management District (AQMD) Rules 223 and 223-1 to minimize fugitive dust emissions.
- Compliance with the California Air Resources Board Airborne Toxic Control Measure at Title 17 Section 93105 addressing Construction, Grading, Quarrying, and Surface Mining activities and with the Asbestos ATCM for Surfacing Applications (California Code of Regulations, Title 17, Section 93106);
- Contract provisions will require notification of County DOT and compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Sections 5097.5, 5097.94 et seq., regarding the discovery and disturbance of cultural materials or human remains should any be discovered during project construction;
- Contract provisions will require compliance with the El Dorado County Grading Ordinance and Storm Water Management Plan for Western El Dorado County and implementation of Best Management Practices as identified in the National Pollutant Discharge Elimination System (NPDES) permit and/or Storm Water Management Plan;
- Contract provisions will require a fire safety plan to prevent fires from construction operations (including welding);
- County DOT or its construction contractors will conduct early coordination with ENF, law enforcement and emergency service providers to ensure minimal disruption to service during construction;
- County DOT and its construction contractors will comply with the State of California Standard Specifications (May 2006), written by the State of California Department of Transportation, for public service provision;
- Access to adjacent private properties will remain open at all times during the construction period; and
- The Project would comply with General Plan Policy 6.5.1.11 pertaining to construction noise.

The following measures from the Water Quality Management for Forest System Lands in California, Best Management Practices (USDA 2000) to be incorporated into the project include:

2-2 Erosion Control Plan	2-12 Servicing and Refueling of Equipment
2-3 Timing of Construction Activities	2-14 Controlling In-Channel Excavation
2-4 Stabilization of Road (Trail) Slope Surfaces and Spoil Disposal Areas	2-15 Diversion of Flows Around Construction Sites
2-5 Road (Trail) Slope Stabilization Construction Practices	2-17 Bridge and Culvert Installation

2-9 Time Erosion Control Measures on Incomplete Road (Trail) and Stream Crossing Projects	2-20 Specifying Riprap Composition
2-10 Construction of Stable Embankments (Fills)	2-23 Road (Trail) Surface Treatment to Prevent Loss of Materials
2-11 Control of Sidecast Material During Construction and Maintenance	2-26 Obliteration or Decommissioning of Roads

Additional BMPs per Caltrans contract provisions will be incorporated, as necessary, to supplement the above listed BMPs.

2.6. Project Schedule

The Project is scheduled to commence in either 2011 or 2012 and is expected to be completed in a single construction season. Due to snow cover, construction will likely start after June 1. County DOT anticipates that Project construction will take 3 months to complete.

2.7. Required Permit Approvals

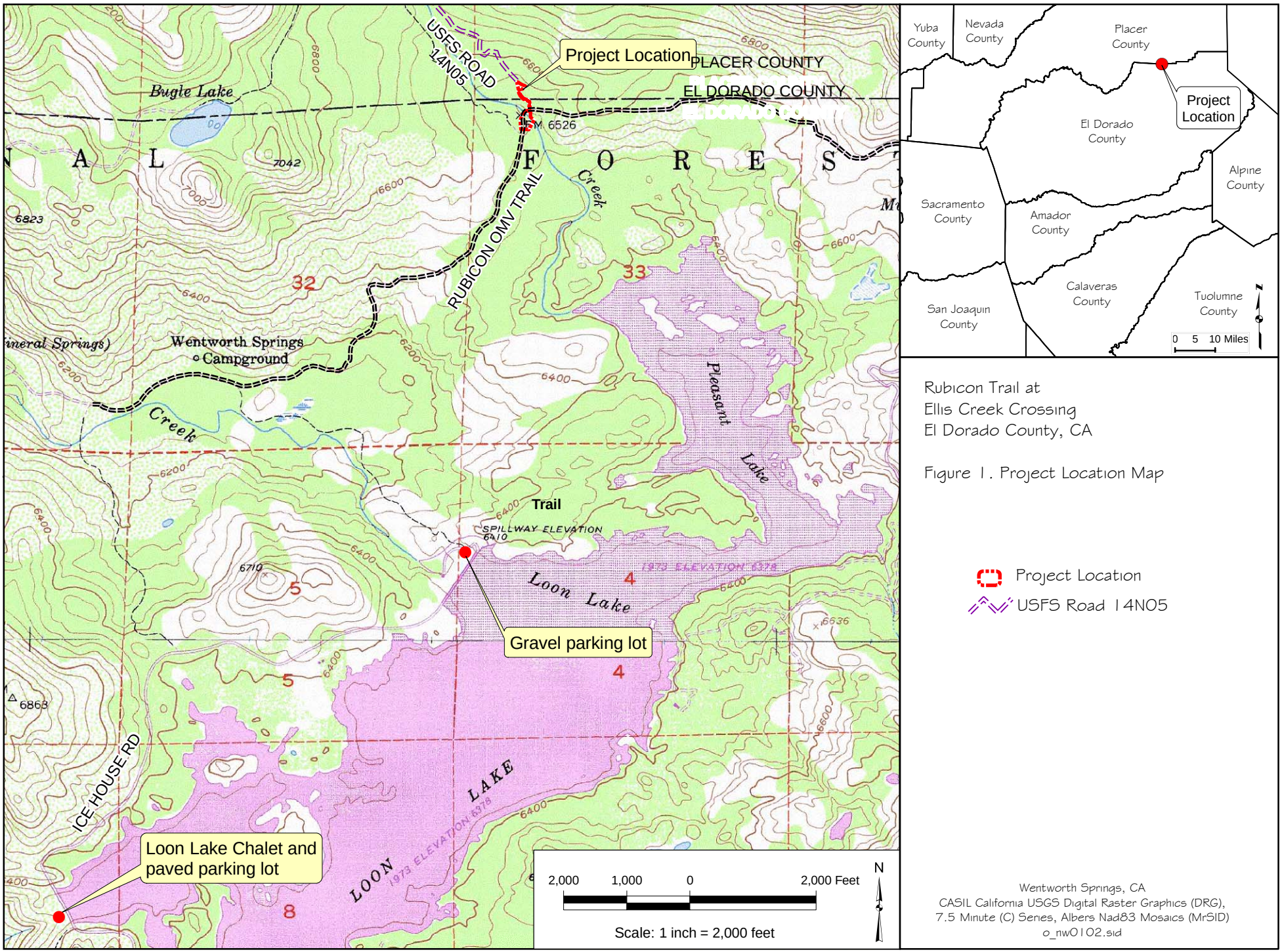
Based on the environmental conditions of the Project area and the analysis of potential impacts provided in Section 4, Project implementation will require compliance with the Clean Water Act and issuance of other approvals, as listed in the table below:

Table 2-1. Required Permit Approval

Approving Agency	Required Permit/Approval	Required For
Federal Agencies		
U.S. Forest Service	NEPA documentation; Special Use Permit; Easement	Special Use Permit for construction and staging; Permanent easement for bridge and access
Army Corps of Engineers	Nationwide Section 404 Discharge Permit. (Clean Water Act, 33 USC 1341)	Discharge of dredge/fill material into "Waters of the United States," including wetlands.
State Agencies		
California Department of Transportation	Project Approval/ NEPA Compliance	Funding through the Federal Statewide Transportation Improvement Program (FSTIP)
State Water Resources Control Board, Regional Water Quality Control Board	General Construction Activity Storm Water Permit. Notice of Intent. (Clean Water Action Section 402; 40 CFR Part 122)	Storm water discharges associated with construction activity. for greater than 1 acre of land disturbance
	Water Quality Certification (Clean Water Act), if project requires Army Corps of Engineers 404 permit.	Discharge into "Waters of the U.S.," including wetlands (see Army Corps of Engineers Section 404 Permit above).
Department of Fish and Game	Streambed Alteration Agreement. (Fish and Game Code 1602)	Change in natural state of river, stream, lake (includes road or land construction across a natural streambed) which affects fish or wildlife resource.

Approving Agency	Required Permit/Approval	Required For
Local Agencies		
El Dorado County	Project Approval/CEQA Compliance	Project implementation and funding
El Dorado County Air Quality Management District	Fugitive Dust Plan	District Rule 223-1 (Fugitive Dust, Construction Activities)
Placer County Air Pollution Control District	Fugitive Dust Plan	District Rule 228 (Fugitive Dust)

[Blank Page]



Rubicon Trail at
Ellis Creek Crossing
El Dorado County, CA

Figure 1. Project Location Map

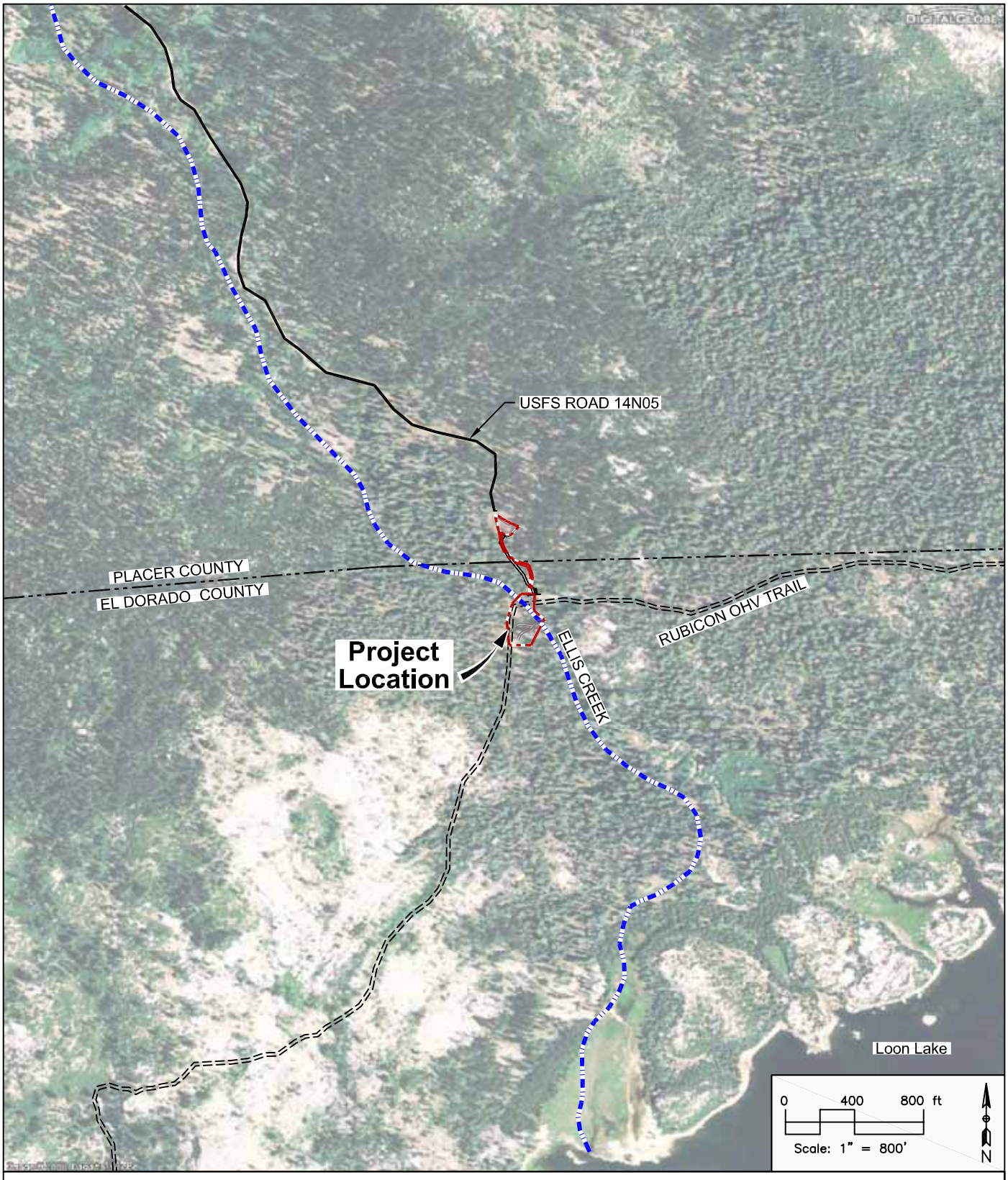
Project Location

USFS Road 14N05

Wentworth Springs, CA
CASIL California USGS Digital Raster Graphics (DRG),
7.5 Minute (C) Series, Albers Nad83 Mosaics (MrSID)
o_nw0102.sid

08109RubiconEllisCk_Fig1LocationMap.mxd

[Blank Page]



Rubicon Trail at
Ellis Creek Crossing
El Dorado County, CA

Project Location

Ellis Creek

OHV Trail

USFS Road 14N05

Figure 2. Aerial Photograph

Aerial Photograph
1 May 2005

[Blank Page]

END OF USFS ROAD 14N05

CONSTRUCTION STAGING AREA

Natural Community	Acreage	Temporary Impacts (ac)	Permanent Impacts (ac)	Total Impacts (ac)
Red Fir Forest	0.91	0.46	0.09	0.55
Ellis Creek and Channel 1	0.08	0.02	0.01	0.03
Mountain Alder Riparian Scrub	0.04	0.01	0.01	0.02
Rubicon Trail/ Cleared areas*	0.39	--	--	--
Total	**1.42**	**0.49**	**0.11**	**0.60**

* The Rubicon Trail, cleared areas, and gravel staging area are previously disturbed.

PLACER COUNTY

EL DORADO COUNTY

NES BOUNDARY

SEPTIC TOILET AND SERVICE ROAD CONSTRUCTED UNDER SEPARATE AUTHORIZATION

ABANDON AND REVEGETATE OLD TRAIL ALIGNMENT

RFF

INSTALL ESA FENCE AROUND MARS AND CHANNEL

ELLIS CREEK

END NEW TRAIL ALIGNMENT

NEW ROCK SLOPE PROTECTION ALONG CREEK

NEW ROCK SLOPE PROTECTION FOR BRIDGE ABUTMENT

CHANNEL

MARS

APPROXIMATE BRIDGE LOCATION (70'± SPAN)

MARS

INSTALL ESA FENCE AROUND MARS

PROPOSED 50' WIDE EASEMENT

CONSTRUCTION STAGING AREA

ABANDON AND REVEGETATE OLD TRAIL ALIGNMENT

DIRT ROAD (CLEARED)

EXISTING OUTHOUSE

BEGIN NEW TRAIL ALIGNMENT

0 30 60 ft

Scale: 1" = 60'

N

Rubicon Trail at
Ellis Creek Crossing
El Dorado County, CA

Figure 3. Project Design

- Natural Environment Study (NES) Boundary
- Ellis Creek
- Channel
- Existing Roads/ Cleared Areas
- Red Fir Forest (RFF)
- Mountain Alder Riparian Scrub (MARS)
- Proposed Bridge and Approaches
- Proposed RSP
- Access Road
- Temporary Impacts
- Permanent Impacts
- Channel (Outside BSA)
- ESA Fence

Bridge Design/Layout:
Preliminary Bridge Replacement Plan
(26 Feb. 2010)
By El Dorado County Dept.
of Transportation (MASTER.dwg)

08109RubiconEllisCk_APE-Delin-Biores_v12.dwg

[Blank Page]

3. INITIAL STUDY CHECKLIST AND SUPPORTING DOCUMENTATION

3.1. Initial Study Checklist

This section of the Initial Study incorporates the Environmental Checklist contained in Appendix G of the CEQA Guidelines. Each resource topic section provides a determination of potential impact and an explanation for the checklist impact questions. The following 16 environmental categories are addressed in this section:

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities

Each of the above listed environmental categories was fully evaluated and one of the following four determinations was made for each checklist question:

- **"No Impact"** means that no impact to the environment would occur as a result of implementing the Project.

- **"Less than Significant Impact"** means that implementation of the Project would not result in a substantial and/or adverse change to the environment and no mitigation is required.

- **"Potentially Significant Unless Mitigation is Incorporated"** means that the incorporation of one or more mitigation measures would reduce the impact from potentially significant to less than significant.

- **"Potentially Significant Impact"** means that there is either substantial evidence that a project-related effect would be significant or, due to a lack of existing information, could have the potential to be significant.

3.2. Setting, Impacts, and Mitigation Measures

I. AESTHETICS—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Environmental Setting

The project is located on the west slope of the Sierra Nevada Mountains. Elevation of the project area ranges from approximately 6,550 to 6,600 ft above sea level. Red fir forest is the dominant vegetative community surrounding the project area. The forest foliage limits views of the surrounding mountains. An area to the southeast of the existing low-water crossing is used as an undeveloped campsite.

Potential Environmental Effects

a) ***No Impact.*** A scenic vista refers to the view of an area that is visually or aesthetically pleasing. Aesthetic components of a scenic vista include 1) scenic quality, 2) sensitivity level, and 3) view access.

Table 5.3-1 of the General Plan Draft EIR identifies multiple scenic views and resources. The Rubicon Trail is not listed as an important public scenic viewpoint in the Draft EIR. The Project occurs in a forested area with limited views and would have no impact on scenic vistas.

b) ***No Impact.*** The project would not affect aesthetic resources within the proximity of a state scenic highway.

c) ***No Impact.*** Construction of a new 16-ft-wide bridge over Ellis Creek would not degrade the existing visual character or quality of the site. The new bridge would be visually consistent with similar bridges in the ENF and consistent with the character of an unpaved OHV trail.

d) ***No Impact.*** The project does not introduce any new source of light or glare.

II. AGRICULTURAL RESOURCES—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion?	☐	☐	☐	☒

Environmental Setting

The project is located in the Eldorado National Forest. No Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or lands under Williamson Act contracts occur in the project area (California Department of Conservation 2009).

Potential Environmental Effects

a) ***No Impact.*** No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project.

b) ***No Impact.*** No lands either zoned for agricultural uses or subject to a Williamson Act contract exist within or adjacent to the project area.

c) ***No Impact.*** Farmland and agricultural uses do not occur on or in the vicinity of the project site. The project will not result in the conversion of farmland to non-agricultural use.

III. AIR QUALITY— Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐
f) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
g) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emission of greenhouse gases?	☐	☐	☐	☒

Environmental Setting

The project area is located in the Mountain Counties Air Basin (MCAB). The San Francisco Bay Area Air Basin and the Sacramento Valley Air Basin are located to the west, and the San Joaquin Valley Air Basin is located to the south. The air quality of a region is determined by the air pollutant emissions (quantities and type of pollutants measured by weight) and by ambient air quality (the concentration of pollutants within a specified volume of air). Air pollutants are characterized as primary and secondary pollutants. Primary pollutants are those emitted directly into the air, for example carbon monoxide (CO), and can be traced to a single pollutant source. Secondary pollutants are those pollutants that form through chemical reactions in the atmosphere, for example reactive organic gasses (ROG) and nitrogen oxides (NO_X) combine to form ground level ozone, or smog.

The Federal Clean Air Act of 1977 established national ambient air quality standards (NAAQS). These standards are divided into primary and secondary standards. Primary standards are designed to protect public health and secondary standards are designed to protect other values. Because of the health-based criteria identified in setting the NAAQS, the air pollutants are termed "criteria" pollutants. California has adopted its own, more stringent, ambient air quality standards (CAAQS). The MCAB is in nonattainment for Ozone and PM10 pollutants. The MCAB is in attainment for CO, SO_2, NO_2, and lead.

The El Dorado County Air Quality Management District (AQMD) administers the state and federal Clean Air Acts in accordance with state and federal guidelines. The AQMD regulates air quality through its district rules and permit authority. The AQMD was former called the Air Pollution Control District (APCD) when it released the Guide to Air Quality Assessment in 2002. It also participates in planning review of discretionary project applications and provides recommendations.

The following District rules apply to the Project:

- Rule 223 Fugitive Dust – General Requirements
- Rule 223-1 Fugitive Dust – Construction Requirements

These rules regulate fugitive dust (including that potentially containing naturally occurring asbestos, or NOA) generated by construction activities and require appropriate mitigation measures to reduce air quality impacts to less than significant.

El Dorado County's Guide to Air Quality Assessment (APCD 2002) specifies specific daily emissions thresholds that can be used to determine the significance of project emissions. Thresholds of significance for specific pollutants of concern are as follows:

- ROG: 82 lbs/day
- NO_x: 82 lbs/day
- PM10: AAQS

The Placer County Air Pollution Control District (PCAPCD) has District Rule 228 for Fugitive Dust that is similar to the AQMD's rule 223. The staging area at the end of 14N05 will comply with the PCAPCD Rule 228.

Potential Environmental Effects

The Project would result in short-term, temporary air pollutant emissions from construction activities. Construction emissions were estimated for the project using the Sacramento Air Quality Management District's Road Construction Emissions Model, Version 6.3.2 as recommended in the El Dorado County's Guide to Air Quality Assessment (APCD 2002). The results are in Table 3-1.

Table 3-1. Estimated construction emissions

Project Phases	ROG lbs/day	CO lbs/day	NO_x lbs/day	PM10 lbs/day	Exhaust PM10 lbs/day	Fugitive Dust PM10 lbs/day
Grubbing/land clearing	3.7	16.9	32.7	29.4	1.4	28.0
Grading/excavation	5.1	21.6	42.8	30.1	2.1	28.0
Drainage/utilities/sub-grade	3.8	15.4	29.8	29.6	1.6	28.0
Paving	--	--	--	--	--	--
Maximum lbs/day	5.1	21.6	42.8	30.1	2.1	28.0
Significance Threshold	82	AAQS	82	AAQS	*N/A*	*N/A*
Significant?	NO	NO	NO	NO	*N/A*	*N/A*

Notes. Data entered to emissions model: Project Start Year: 2011; Project Length (months): 3; Total Project Area (acres): 1.42; Total Soil Imported/Exported (yd3/day): 100. PM_{10} estimates assume 50% control of fugitive dust from watering and associated dust control measures.0. Total PM_{10} emissions are the sum of *exhaust* and *fugitive dust* emissions.

a) ***No Impact.*** The Project is listed in the Sacramento Area Council of Government's 2009/12 Metropolitan Transportation Improvement Program (MTIP; SACOG 2008). All projects included in the MTIP are consistent with the long-term Metropolitan Transportation Plan. Because it was evaluated for, and included in, the MTIP, the Project would not conflict with or obstruct implementation of the Plan.

b) ***Less Than Significant.*** El Dorado County is in nonattainment status for both federal and state ozone standards and the state PM10 standard. Construction activities would result in short-term increases in emissions from the use of heavy equipment that generate dust, exhaust, and tire-wear emissions. Project construction would create short-term increases in ROG, NO_x, and PM10 emissions from vehicle and equipment operation. None of the estimated emissions exceed the El Dorado County AQMD's significance thresholds (Table 3-1).

For projects with ROG and NO_x emissions below the significance thresholds, the AQMD also deems construction exhaust emissions of CO and PM10 to be less than significant. The project will adhere to AQMD Rules 223 and 223-1, which regulate fugitive dust emissions during construction.

c) ***No Impact.*** Cumulative net increases of criteria pollutants have been evaluated in the SACOG 2009/12 MTIP. This project is referenced and evaluated in the MTIP.

d) ***No Impact.*** There are no sensitive receptors in the vicinity of the project. The project is not located within an area "more likely to contain naturally occurring asbestos" (California Department of Conservation 2000).

e) ***Less Than Significant.*** Construction activities would involve the use of construction equipment, which have distinctive odors. Odors are considered less than significant because of the limited number of the public affected and the short-term nature of the emissions.

f) ***Less Than Significant.*** Assembly Bill 32, adopted in 2006, established the Global Warming Solutions Act of 2006 which requires the State to reduce greenhouse gases (GHGs) to 1990 levels by 2020. Senate Bill 97, adopted in 2007, requires the Governor's Office of Planning and Research (OPR) to develop draft CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions." OPR is required to "prepare, develop, and transmit" the guidelines to the Resources Agency on or before July 1, 2009. The Resources Agency must certify and adopt the guidelines on or before January 1, 2010.

GHGs are recognized by wide consensus among the scientific community to contribute to global warming/climate change and associated environmental impacts. The major GHGs that are released from human activity include carbon dioxide, methane, and nitrous oxide (OPR 2008). The primary sources of GHGs are vehicles (including planes and trains), energy plants, and industrial and agricultural activities (such as dairies and hog farms).

GHG emissions from the project would be produced from the materials used in the new bridge and road construction as well as construction-related equipment emissions. The project would not result in the generation of additional vehicle trips after construction is complete. GHG emissions resulting from construction activity are short-term in nature and limited in scope. Thus, while the project would have an incremental contribution within the context of the County and region, the individual impact is considered less than significant.

g) ***No Impact.*** The project will not generate significant emissions of greenhouse gases and, therefore, will not conflict with any applicable plans, policies, or regulations adopted for the purpose of reducing the emission of greenhouse gases.

IV. BIOLOGICAL RESOURCES—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☒	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☒	☐

Environmental Setting

Biological communities in the project area include red fir forest, mountain alder riparian scrub, perennial Ellis Creek, and an ephemeral channel (Channel 1). The Rubicon Trail and the cleared area at the end of USFS Road 14N05 have little to no vegetation and compacted soil from vehicles.

The primary biological community in the project area and surrounding area is mature red fir forest. Aproximately 0.91 ac of red fir forest occurs within the project area. The red fir forest is dominated by California red fir (*Abies magnifica* var. *magnifica*) with lesser amounts of white fir (*Abies concolor*), lodgepole pine (*Pinus contorta*), and Jeffrey pine (*Pinus jeffreyi*). The shrub layer is sparse and mostly open. Common shrubs are manzanita (*Arctostaphylos nevadensis*), huckleberry oak (*Quercus vaccinifolia*), and gooseberry (*Ribes* sp.). The herb layer is also sparse and is dominated by aster (*Aster* sp.), kelloggia (*Kelloggia galioides*), and hawkweed (*Hieracium albiflorum*). Within the project area, the understory in the portion of the red fir forest southeast of Ellis Creek and the Rubicon Trail has been disturbed by campers and jeeps driving off the main trail. This disturbed area has little vegetation and compacted soil from vehicles.

Mountain alder riparian scrub occurs along the margins of Ellis Creek in the project area (0.04 ac). This shrub/small tree community is dominated by mountain alder (*Alnus incana* ssp. *tenuifolia*), with small amounts of American dogwood (*Cornus sericea* ssp. *sericea*), bitter cherry (*Prunus emarginata*), and mountain ash (*Sorbus* sp.). The herb layer is dominated by boykinia (*Boykinia major*), thimbleberry (*Rubus parviflorus*), and lady fern (*Athyrium filix-femina* var. *cyclosurum*).

Ellis Creek is a perennial channel and Channel 1 is an ephemeral channel in the project area (0.08 ac combined). Ellis Creek was flowing during all field surveys, supports a riparian community, and is large enough to support trout spawning beds downstream of the project. Channel 1 receives hydrology primarily from surface snow melt. Channel 1 was flowing on 7 May 2009 and was dry on 23 June, 8 July, and 7 October 2009. Channel 1 is not large enough, and does not contain water long enough into the growing season, to support a riparian community or fish. The segment of Channel 1 in the project area is substantially disturbed by the Rubicon Trail. Water in Channel 1 now sheet flows over the Rubicon Trail just prior to joining Ellis Creek.

The project will have no effect on designated critical habitat for federal-listed species. Ellis Creek is not designated as essential fish habitat (EFH) for Pacific salmon. Ellis Creek is indirectly tributary to the American River upstream of the Nimbus and Folsom dams. Both dams are impassable barriers; Nimbus Dam represents the upstream limit of EFH for Pacific salmon on the American River.

Potential impacts to biological and wetlands resources were evaluated in a Natural Environment Study (NES; Sycamore Environmental 2010). The NES is a standard Caltrans format for documenting project

impacts; the NES was reviewed and approved by Caltrans. The NES determined that habitat for the following species could be occupied at the time of construction. Item a) of this biological resources section evaluates potential project impacts on the following species:

- Sierra Nevada yellow-legged frog (*Rana sierrae*)
- Migratory birds, including birds of prey
- Northern goshawk (*Accipiter gentilis*)
- Yellow warbler (*Dendroica petechia brewsteri*)
- California spotted owl (*Strix occidentalis occidentalis*)
- Sierra Nevada mountain beaver (*Aplodontia rufa californica*)
- California wolverine (*Gulo gulo*)
- Sierra Nevada snowshoe hare (*Lepus americanus tohoensis*)
- Marten (*Martes americana*)
- Pacific fisher (*Martes pennanti* DPS)
- Sierra Nevada red fox (*Vulpes vulpes necator*)

Potential Environmental Effects

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
Potentially Significant Impact Unless Mitigation Incorporated.

Sierra Nevada yellow-legged frog (SNYLF; *Rana sierrae*)

SNYLF is a candidate for listing under the federal Endangered Species Act, a USFS sensitive species, and a DFG species of special concern. SNYLF is associated with streams, lakes, and ponds in montane riparian, lodgepole pine, subalpine conifer, and wet meadow habitat types and is always encountered within a few feet of water (Zeiner et al. 1988). Ellis Creek in the project area provides potential habitat for SNYLF. Protocol-level surveys for SNYLF that included the project area were conducted in July 2004 for the Draft Rubicon Trail Master Plan (ESP 2007). Surveys were conducted in the shallow perimeters of Loon Lake, Mud Lake, and Buck Island Lake, in Ellis Creek at the Rubicon Trail crossing (the project area), in four small ponds and a large wet meadow near the Rubicon Trail, and in the Rubicon River at the trail crossing. No SNYLF were observed during the protocol surveys (ESP 2007). No SNYLF were observed during general biological surveys conducted for the NES. Trout are stocked in Loon Lake downstream of the project area, have been observed in Ellis Creek (DFG 25 March 2009, ESP 2007), and may interfere with the residence or establishment of SNYLF in Ellis Creek.

The overall purpose of the project is to eliminate the existing in-water crossing of OHVs and thereby reduce sedimentation and vehicle fluid pollution in Ellis Creek. The completion of the project will improve conditions in Ellis Creek relative to baseline conditions for SNYLF.

The project will implement the following mitigation measure for SNYLF. It has been reported from an adjacent watershed, although it was not found in Ellis Creek during protocol surveys.

Mitigation Measures BIO-1.
The following avoidance and minimization measures will be implemented to protect SNYLF:

- Temporary orange construction barrier fencing (or sedimentation fencing where required by permits) shall be installed at the upstream and downstream limits of the BSA along the creek. The fencing shall be installed after initial clearing of vegetation but prior to any further work on the Project.

- The Project shall prepare and follow a storm water pollution prevention plan (SWPPP) in order to obtain and comply with a Section 401 CWA water quality certification. The purpose of the SWPPP is to avoid and minimize Project impacts to water quality.
- A preconstruction survey for Sierra Nevada yellow-legged frog shall occur immediately prior to the initiation of construction activities in the riparian scrub or in Ellis Creek. The preconstruction survey shall be conducted by a biologist experienced with ranid surveys in California. If Sierra Nevada yellow-legged frog is not found construction will proceed. If Sierra Nevada yellow-legged frog is found, construction will not proceed in the riparian scrub or Ellis Creek until either the frog has left, or the biologist contacts DFG, USFWS, and USFS for permission to move the frog.
- A qualified biologist will be present during the grubbing and clearing activities in the riparian and aquatic habitat in the project area.

Migratory Bird and Birds of Prey

Migratory birds are protected under the Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). Migratory birds, including cliff swallow, barn swallow, and phoebe, nest on bridges and other man-made structures. The breeding season for these species occurs between March 1st and August 31st. Under the Migratory Bird Treaty Act, nests of migratory birds that contain eggs are not to be disturbed during the breeding season.

Construction is scheduled to occur during the nesting season for swallows and other migratory birds, and raptors. If a nest becomes active after construction has started, then the bird is considered adapted to construction disturbance. An active nest is one with breeding pair nesting behavior, attended eggs, or unfledged young. The following mitigation measures will be implemented to reduce potential impacts to a level of less than significant:

Mitigation Measures BIO-2.

- If construction begins between February15th and September 15th, a biologist shall conduct a survey for active nests in the BSA and within 250 ft of the BSA within 30 days prior to construction. If no active nest of a bird of prey or MBTA bird is found, then no further action is necessary.
- If an active nest of a bird of prey or MBTA bird is found, then the biologist shall establish a minimum 250-ft Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of prey, and a minimum 100-ft ESA around the nest if the nest is of a MBTA bird other than a bird of prey.
- 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 that no disturbance to the active nest is occurring. The size of suitable buffers depends on the species of bird, the location of nest relative to the project, project activities during the time the nest is active, and other project specific conditions.

Northern goshawk (*Accipiter gentilis*)
Yellow warbler (*Dendroica petechia brewsteri*)
California spotted owl (*Strix occidentalis occidentalis*)

Northern goshawk is a USFS sensitive species and a DFG species of special concern. Northern goshawks prefer middle and higher elevations, and mature, dense conifer and deciduous forests (Zeiner et al. 1990a). As part of the Sierra Nevada Forest Plan Amendment (SNFPA), protected activity centers (PACs) for northern goshawks are designated with the intent of directing management to specifically sustain viable populations (USFS 2004a, b). The project is not located in a northern goshawk PAC, and is approximately 4.4 mi east of the nearest PAC. Northern goshawk were not observed during general biological surveys in the project area. Implementation of avoidance and minimization measures described above for migratory birds, including birds of prey, will also prevent impacts to northern goshawk.

Yellow warbler is a DFG species of special concern. Yellow warblers breed in riparian woodlands, montane chaparral, and open ponderosa pine and mixed conifer habitats with substantial amounts of brush. Yellow warblers are usually found in riparian deciduous habitats in the summer, which includes cottonwoods, willows, alders, and other small trees and shrubs typical of low, open-canopy riparian woodland (Zeiner et al. 1990a). The project area provides marginal habitat for yellow warbler because it is outside but near the range (Zeiner et al. 1990a), the riparian corridor in the project area is relatively small, much of the forest beyond the riparian corridor lacks substantial understory shrub cover, and there is substantial human activity in the project area due to the Rubicon Trail and associated camping. Yellow warblers were not observed during general biological surveys in the project area. Implementation of avoidance and minimization measures described above for migratory birds will also prevent impacts to yellow warbler.

California spotted owl is a USFS sensitive species and a DFG species of special concern. California spotted owls breed and roost in forests and woodlands with large old trees and snags, dense canopies (≥70% canopy closure), multiple canopy layers, and downed woody debris. Large, old trees are the key component; they provide nest sites and cover from inclement weather and add structure to the forest canopy and woody debris to the forest floor. California spotted owl was not observed during general biological surveys in the project area. California spotted owl would be unlikely to nest in the project area due to substantial human activity along the Rubicon Trail and associated camping. Implementation of avoidance and minimization measures described above for migratory birds, including birds of prey, will also prevent impacts to California spotted owl.

Sierra Nevada mountain beaver (*Aplodontia rufa californica*)

Sierra Nevada mountain beaver is a DFG species of special concern. Sierra Nevada mountain beavers occur in dense riparian-deciduous and open, brushy stages of most forest types. Typical habitat in the Sierra Nevada is montane riparian (Zeiner et al. 1990b). Sierra Nevada mountain beavers are strongly associated with high elevations (>7,000 ft) and steep gradient (>13.6%) streams (Beier 1989). Sierra Nevada mountain beaver was not observed during the general biological surveys in the project area. The project area provides marginal habitat for Sierra Nevada mountain beaver because the Ellis Creek gradient in the project area is less than 4%.

The overall purpose of the Project is to eliminate the existing in-water crossing of OHVs and thereby reduce sedimentation and vehicle fluid pollution in Ellis Creek. Sierra Nevada mountain beavers require a large daily intake of water (Zeiner et al. 1990b). The completion of the Project will improve conditions in Ellis Creek relative to baseline conditions for Sierra Nevada mountain beaver. No avoidance and minimization efforts are proposed.

California wolverine (*Gulo gulo*)

California wolverine is a USFS sensitive species and State threatened and fully protected species. California wolverine is a scarce resident of the North Coast mountains and Sierra Nevada. In the northern Sierra Nevada, California wolverine have been found in mixed conifer, red fir, and lodgepole pine habitats, and probably use subalpine conifer, alpine dwarf-shrub, wet meadow, and montane riparian habitats (Zeiner et al. 1990b). California wolverines occur in areas of low human disturbance and prefer

rocky areas, caves, logs or snags as den sites. Neither California wolverines nor potential den sites were observed during general biological surveys in the BSA. Wolverines do not typically use habitats adjacent to roads (pers. comm., Lipton 2009). It is unlikely that wolverines would den in the BSA due to disturbance from OHVs on the Rubicon Trail and the associated recreational activities, including backcountry campsites on the west side of Ellis Creek. No avoidance and minimization efforts are proposed for California wolverine.

Sierra Nevada snowshoe hare (*Lepus americanus tahoensis*)

Sierra Nevada snowshoe hare is a DFG species of special concern. Sierra Nevada snowshoe hare is found in the Sierra Nevada up to 8,200 ft (Jameson and Peeters 2004). In CA it is primarily found in montane riparian habitats with thickets of alders and willows, and in stands of young conifers interspersed with chaparral. The early seral stages of mixed conifer, subalpine conifer, red fir, Jeffrey pine, lodgepole pine, and aspen are likely habitats, primarily along edges, and especially near meadows. Dense cover is preferred, either in understory thickets of montane riparian habitats, or in shrubby understories of young conifer habitats. Snowshoe hare nest in shallow depressions under shrubs, logs, or in slash (Zeiner et al. 1990b). Neither Sierra Nevada snowshoe hare nor nest sites were observed during general biological surveys in the BSA. The BSA provides poor potential habitat for snowshoe hare due to the human activity along the Rubicon Trail. No avoidance and minimization efforts are proposed for Sierra Nevada snowshoe hare.

Marten (*Martes americana*)

Marten is a USFS sensitive species historically associated with mature coniferous forests from Trinity and Siskiyou counties south through the Sierra Nevada to Tulare County. Marten is found in mature coniferous and mixed species forest with dense overstory and sufficient understory for hiding and denning. Martens usually den in rotten logs, but also in rock slides and slash piles. They prefer dense understory vegetation for prey species, but may hunt in bordering open meadows if hiding cover is present (Snyder 1991). Neither martens nor dens were observed during general biological surveys in the BSA. Martens do not typically use habitats adjacent to roads (pers. comm., Lipton 2009). No avoidance and minimization efforts are proposed for marten.

Pacific fisher (*Martes pennanti* DPS)

Pacific fisher is a federal and state candidate for listing, a USFS sensitive species, and a DFG species of concern. Pacific fisher is an uncommon permanent resident of the Sierra Nevada, Cascades, and Klamath Mountains, and is also found in a few areas in the North Coast ranges. It occurs in intermediate to large-tree stages of coniferous forests and deciduous-riparian habitats with a high percent canopy closure. Fishers eat rabbits and hares, rodents, birds, fruits, and carrion. They den in a variety of protected cavities, brush piles, logs, or under an upturned tree. Hollow logs, trees, and snags are especially important (Zeiner et al. 1990b). Pacific fishers have been extirpated from the northern Sierra Nevada. No Pacific fishers were observed during general biological surveys in the BSA. No avoidance and minimization efforts are proposed for Pacific fisher.

Sierra Nevada red fox (*Vulpes vulpes necator*)

Sierra Nevada red fox is a USFS sensitive species and state threatened. They are found in the Cascades, in Siskiyou Co., and from Lassen Co. south to Tulare Co. in a variety of habitats including, alpine dwarf-shrub, wet meadow, subalpine conifer, lodgepole pine, red fir, aspen, montane chaparral, montane riparian, mixed conifer, and ponderosa pine. Sierra Nevada red fox prefers forests interspersed with meadows or alpine fellfields. Open areas are used for hunting, forested habitats for cover and reproduction. Most sightings in Sierra Nevada occur above 7,000 ft, ranging from 3,900 to 11,900 ft. They move down-slope in winter to ponderosa pine and mixed conifer, and upslope in summer to lodgepole pine, subalpine conifer, alpine dwarf-shrub, and red fir habitats. They hunt small and medium-sized mammals in meadows, fell-fields, grasslands, wetlands, and other open habitats. Den sites include

rock outcrops, hollow logs and stumps, and burrows in deep, loose soil (Zeiner et al. 1990b). It is unlikely that Sierra Nevada red fox would den in the BSA due to disturbance from OHVs on the Rubicon Trail and the associated recreational activities, including backcountry campsites on the south side of Ellis Creek. No avoidance and minimization efforts are proposed for Sierra Nevada red fox.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? ***Potentially Significant Impact Unless Mitigation Incorporated.***

Sensitive habitats include those that are of special concern to resource agencies and those that are protected under CEQA, the California Fish and Game Code, or the Clean Water Act. Sensitive habitats in the project area include 0.04 ac of mountain alder riparian scrub, 0.06 ac of Ellis Creek, and 0.02 ac of ephemeral channel (Channel 1). Impacts to Ellis Creek and Channel 1 are discussed under item c below.

Mountain alder riparian scrub

There is 0.04 ac of mountain alder riparian scrub in the project area. This shrub/small tree riparian community occurs along both sides of Gerle Creek in the study area and is dominated by mountain alder (*Alnus incana ssp. tenuifolia*). Other species present include arroyo willow (*Salix lasiolepis*), American dogwood (*Cornus sericea* ssp. *sericea*), spiraea (*Spiraea densiflora*), and thimbleberry (*Rubus parviflorus*). Mountain Alder Riparian Scrub is classified by DFG (2007) as the *Alnus incana* vegetation alliance (63.210.00). The composition of vegetation in this community is classified as montane riparian by the El Dorado County General Plan EIR (2004). Montane riparian is considered a sensitive natural community in the El Dorado County General Plan EIR (2004).

The mountain alder riparian scrub cannot be completely avoided during construction. The final tree removal determination will be made by El Dorado County Department of Transportation (DOT). The bid specifications and contract will specify that the contractor will comply with the following avoidance and minimization measures which are included in the NES:

- Mark the limits of construction with temporary fencing to identify the limits of vegetation removal.
- Trucks and other vehicles will not be allowed to park beyond, nor shall equipment be stored beyond, the fencing.
- No vegetation removal, ground disturbing activities, or burning will be permitted beyond the fencing.

The project will result in 0.01 ac of permanent impacts and 0.01 ac of temporary impacts to the mountain alder riparian scrub. The Compensatory Mitigation and Monitoring Plan (Appendix G of the NES; Sycamore Environmental 2010) describes the revegetation proposed for Ellis Creek. The plantings are identified in the table below:

Table 1. Revegetation Plantings

Planting	Quantity	Size	Approx. Density
Red fir planting zone			
Red fir *Abies magnifica*	21	1 gallon or equivalent	14 ft centers
Mountain spiraea *Spiraea densiflora*	25	1 gallon or equivalent	16 ft centers

Huckleberry oak *Quercus vaccinifolia*	18	1 gallon or equivalent	16 ft centers
Riparian planting zone			
Mountain alder *Alnus incana* ssp. *tenuifolia*	22	1 gallon or equivalent	10 ft centers
Thimbleberry *Rubus parviflorus*	19	1 gallon or equivalent	10 ft centers
American dogwood *Cornus sericea* ssp. *sericea*	10	Pole cutting	10 ft centers
Baltic rush *Juncus balticus*	100	Liner	1 per linear ft of channel edge

Restoration and revegetation of mountain alder riparian scrub in the project area will ensure that impacts to this resource are less than significant.

Mitigation Measures BIO-3.

- Restore 0.04 ac of mountain alder riparian scrub in the abandoned portion of the Rubicon Trail and in the RSP around the new bridge.
- Revegetate graded areas and replant native riparian trees in the study area in accordance with the Compensatory Mitigation and Monitoring Plan (Appendix F of the NES; Sycamore Environmental 2010).

Native Trees

The project will remove an estimated 21 conifer trees from the red fir forest in the project area, including trees that pose a future risk of falling on the bridge. Implementation of the following mitigation measure will ensure that potential impacts to native trees are reduced to a less-than-significant level.

Mitigation Measures BIO-4.

- Revegetate graded areas and replant native trees in non-riparian areas in accordance with the Compensatory Mitigation and Monitoring Plan (Appendix F of the NES; Sycamore Environmental 2010).

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? ***Potentially Significant Unless Mitigation Incorporated.***

Ellis Creek and Channel 1 are natural communities of special concern because they are waters of the state, and Ellis Creek is a waters of the U.S. Ellis Creek is a perennial channel comprising 0.06 ac in the project area and Channel 1 is an ephemeral channel comprising 0.02 ac in the project area. Ellis Creek supports riparian vegetation, some of which is below the ordinary high watermark. Channel 1 intersects the existing road in the study area and sheet flows across the width of the road down to Ellis Creek. This section of the road and channel is rock and cobble.

Construction vehicles may use the existing low-water crossing in Ellis Creek to access the south side of the project area. The use of the low-water crossing is consistent with the existing disturbance in the creek from OHV crossing at this location. Driving through the creek at this location is part of the baseline conditions in the project area and is not considered in-water work. As described in Section 2.5 of this document, a SWPPP will be prepared to identify the best management practices (BMPs) for application when crossing Ellis Creek.

The installation of RSP will require a temporary water diversion. The de-watered area would be blocked off using methods such as water pillows, rock, sandbags, sheet piling, pipes or coffer dams, or other structural methods approved by the Project Engineer and DFG. Water quality will be protected by implementation of BMPs to minimize the potential for siltation and downstream sedimentation of Ellis Creek and to prevent concrete or other materials from entering the channel. Groundwater and seepage in the de-watered area will be removed in accordance with the SWPPP.

Minimization efforts will include marking the limits of construction with temporary fencing to prevent affecting Ellis Creek unnecessarily. If in-water work is required, impacts will be minimized by conducting in-water work between 15 April and 15 October, unless DFG provides approval of work outside that period.

The abutments of the new bridge will be located outside the OHWM of Ellis Creek. RSP will be placed around the abutments and upstream along the outside curve of Ellis Creek and will extend below the OHWM of Ellis Creek. Placement of the RSP along 90 feet of the south bank and 32 feet of the north bank of Ellis Creek would result in approximately 0.01 ac of permanent impact to Ellis Creek and Channel 1. Temporary impacts to approximately 0.02 ac of Ellis Creek and Channel 1 will occur when water is diverted.

The impacts to wetlands and waters may be permitted under Section 404 Nationwide 23 permit, a Section 401 Water Quality Certification, and a DFG 1600 Streambed Alteration Agreement. These permits will be obtained prior to commencement of construction. The bid specifications and contract will specify that the contractor will comply with the terms and conditions outlined in the permits.

These permits require revegetation of the temporarily disturbed areas of the bed and bank of Gerle Creek. The planting of replacement trees and native vegetation in the riparian corridor ensure that impacts to this resource are less than significant.

Mitigation Measures BIO-5.

- Restore approximately 0.01 ac in the Ellis Creek bed and approximately 0.01 ac of Channel 1 where the road will be abandoned.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? ***Less than Significant.***

The project area is not located within a County-designated Important Biological Corridor (IBC) as defined in Policy 7.4.2.9 of the El Dorado County General Plan (El Dorado County 2004). The project will not substantially interfere with the movement of native resident fish or wildlife. Construction of the project could temporarily disrupt movement of native wildlife species that occur locally in or adjacent to the project area. Daytime construction activities will not disrupt nocturnal wildlife movement. If water diversion is required for construction, the project will maintain adequate fish passage.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? ***Less Than Significant.***

The project will not conflict with local policies or ordinances protecting biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? ***Less Than Significant.***

The project will not conflict with an approved conservation plan.

V. CULTURAL RESOURCES—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

Environmental Setting

The prehistoric and historic context of the area surrounding the project is detailed in the project's Archaeological Survey Report (Tremaine 2010). Within the project area, two previously recorded resources were identified: a sparse lithic scatter and a segment of the historic Georgetown to Lake Tahoe Wagon Road.

A segment of the historic Georgetown to Lake Tahoe Wagon Road occurs within the project area. This road segment has been heavily disturbed by off-road vehicular traffic and camping activities over the past 50 years. There are no important features associated with the road that might be impacted. Thus, if the road itself is ever listed to a historic register, this small segment would not be considered an element contributing to its significance (Tremaine & Associates 2010).

One previously recorded sparse lithic scatter (FS No. 05-03-55-688) was found within the project area (Tremaine & Associates 2010). An intensive survey of the project area was conducted on 5 October 2009. Two flakes (obsidian and cryptocrystalline) were observed on the south side of Ellis creek, and a site record update was prepared. No prehistoric materials were found on the north side. Six shallow units were excavated following California Archaeological Resource Identification and Data Acquisition Program (CARIDAP) protocols for sparse lithic scatters. Two additional flakes were recovered in Unit 1 (one obsidian and one cryptocrystalline). This site has been programmatically treated, and the identification, recordation, and management measures taken satisfy the historic compliance process. The lithic scatter is not a significant archaeological resource because it contains only flaked-stone and lacks other classes of archaeological materials, it lacks substantial subsurface deposits, and it exhibits surface densities equal to or less than three flaked-stone items per square meter (Tremaine & Associates 2010).

The project would implement the procedures identified in State Health and Safety Code Section 7050.5, which states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98.

Potential Environmental Effects

a) ***No Impact.*** No historical resources as defined in Section 15064.5 of the CEQA Guidelines occur within the project area.

b) ***Less Than Significant.*** Although no significant archaeological resources were discovered in the project area, there is the possibility of unanticipated archeological discoveries during construction-related ground-disturbing activities. This is considered a less-than-significant impact because the project would

implement County policies and state law to protect archeological resources. These policies include stopping all work in the vicinity of the discovered resources and requiring that a professional archeologist complete a determination of their significance prior to resuming any work in the area of the discovery.

c) ***No Impact.*** Paleontological resources in El Dorado County are associated with limestone cave deposits, occurrences of the Mehrten formation, and Pleistocene channel deposits (El Dorado County 2003). Because these resources do not occur in the project area, no impact will occur. The site does not contain any other unique geologic features.

d) ***Less Than Significant.*** The ASR for this Project documents that no known cemeteries or burials occur within the project study area (Tremaine 2010). Should human remains be discovered during the excavation portion of the Project, the Project description includes contract provisions that will require notification of the El Dorado County DOT and compliance with California Health and Safety Code Section 7050.5 and California Public Resources Code Section 5097.94 et seq.

VI. GEOLOGY AND SOILS—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

Environmental Setting

El Dorado County is located in the Sierra Nevada geomorphic province of California, east of the Great Valley province and west of the Range and Basin provinces. Steep-sided hills and narrow rocky stream channels characterize the Sierra Nevada province. This province consists of Pliocene and older deposits that have been uplifted as a result of plate tectonics, granitic intrusion, and volcanic activity. Subsequent

glaciation and additional volcanic activity are factors that led to the east-west orientation of stream channels (El Dorado County 2003.)

The southwestern foothills of El Dorado County are composed of rocks of the Mariposa Formation that include amphibolite, serpentine, and pyroxenite. The northwestern areas of the county consist of the Calaveras Formation, which includes metamorphic rock such as chert, slate, quartzite, and mica schist. The higher peaks in the County consist primarily of igneous and metamorphic rocks with granite intrusions, a main soil parent material at the higher elevations (El Dorado County 2003.)

Potential Environmental Effects

a-i) ***Less Than Significant.*** No earthquake fault zones are mapped in El Dorado County or adjacent Placer County on the Alquist-Priolo Earthquake Fault Zones Map (Bryant and Hart 2007). The nearest active fault is the West Tahoe–Dollar Point fault, approximately 11.3 mi (18.3 km) east of the project area. Because the project is within 25 km of an active fault, Caltrans structure design practice requires fault proximity adjustments to the Seismic Design Criteria seismic response curves (Taber Consultants 2009). Bridge design will adhere to these standard Caltrans design requirements.

a-ii) ***Less Than Significant.*** The project is not in a mapped Seismic Hazard Zone (California Department of Conservation 2009). "Based on historical seismic activity and fault and seismic hazards mapping, El Dorado County is considered to have relatively low potential for seismic activity" (El Dorado County 2003). Current AASHTO and Caltrans design standards utilize the anticipated Maximum Credible Earthquake (MCE) to define the safety evaluation event for bridge design.

a-iii) ***No Impact.*** Liquefaction is a phenomenon in which the strength and stiffness of a soil is reduced by earthquake shaking or other rapid loading. This type of ground failure is most likely to occur in water-saturated silts, sands, and gravels having low to medium density. El Dorado County is not located within a mapped Seismic Hazard Zone and is therefore not considered to be at risk from liquefaction hazards (El Dorado County 2003). The geotechnical investigation determined that weathered rock is present five to seven feet below the surface. The weathered rock is adequately stable and capable of providing a spread footing foundation in weathered rock (Taber Consultants 2009).

a-iv) ***No Impact.*** Slopes on the site are not high and steep enough to be subject to landslides. No impacts are anticipated.

b) ***Less Than Significant.*** The project would temporarily disturb approximately 0.41 acres. The project requires the preparation of a construction-related Storm Water Pollution Prevention Plan (SWPPP), consistent with section 402 of the Clean Water Act, and construction activities will include implementation of stormwater runoff best management practices (BMPs) identified in the SWPPP. Implementation of the BMP in the SWPPP would prevent substantial erosion or topsoil loss. Following construction, all disturbed areas would be revegetated to ensure long-term stabilization.

c) ***No Impact.*** Soils on the site have a low shrink-swell potential and are not susceptible to landslide, lateral spreading, subsidence, liquefaction, or collapse (USDA 1985). The foundation report states: "No over-riding geologic hazards (e.g., faulting, landslides, severe erosion, subsidence, etc.), are identified at this site (Taber Consultants 2009).

d) ***No Impact.*** Soils in the project area have a low shrink-swell potential (USDA 1985).

e) ***No Impact.*** Neither septic tanks nor alternative wastewater disposal systems are part of the project.

VII. HAZARDS AND HAZARDOUS MATERIALS—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

Environmental Setting

A material is considered hazardous if it appears on a list of hazardous materials prepared by a Federal, State, or local agency, or if it has characteristics defined as hazardous by such an agency. A hazardous material is defined in Title 22 of the California Code of Regulations (CCR) as follows:

> A substance or combination of substances which, because of its quantity, concentration, or physical, chemical or infectious characteristics, may either (1) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (2) pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. (California Code of Regulations, Title 22, Section 66261.10)

Chemical and physical properties cause a substance to be considered hazardous. Such properties include toxicity, ignitability, corrosivity, and reactivity. CCR, Title 22, Sections 66261.20-66261.24 define the aforementioned properties. The release of hazardous materials into the environment could potentially contaminate soils, surface water, and groundwater supplies. Under Government Code Section 65962.5, the California Department of Toxic Substances Control (DTSC) maintains a list of hazardous substance

sites. This list, referred to as the "Cortese List", includes CALSITE hazardous material sites, sites with leaking underground storage tanks, and landfills with evidence of groundwater contamination. In addition, the El Dorado County Environmental Management Department (EMD) maintains records of toxic or hazardous material incidents, and the Central Valley Regional Water Quality Control Board (RWQCB) keeps files on hazardous material sites.

Most hazardous materials regulation and enforcement in El Dorado County is overseen by the El Dorado County EMD, which refers large cases of hazardous materials contamination or violations to the RWQCB and the State DTSC. Other agencies, such as the El Dorado County AQMD and the Federal and State Occupational Safety and Health Administrations (OSHA), may also be involved when issues related to hazardous materials arise.

Potential Environmental Effects

a) ***Less Than Significant.*** Small amounts of hazardous materials would be used during construction activities (e.g., equipment maintenance, fuel, and solvents). Hazardous materials would only be used during construction of the project, and any hazardous material uses would be required to comply with all applicable local, state, and federal standards associated with the handling and storage of hazardous materials. Use of hazardous materials in accordance with applicable standards ensures that any exposure of the public to hazard materials would have a less-than-significant impact.

b) ***Less Than Significant.*** The proposed project would result in a less than significant impact associated with the use and potential accidental release of hazardous materials during construction (see item "a", above).

c) ***No Impact.*** There are no schools within one-quarter mile of the project area.

d) ***No Impact.*** There are no Cortese List sites within the project area (California EPA 2009).

e) ***No Impact.*** The project is not located in an Airport Land Use Plan area or in the vicinity of an airport.

f) ***No Impact.*** The project is not located in the vicinity of a private airstrip.

g) ***No Impact.*** The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Rubicon Trail will remain open during project construction.

h) ***Less Than Significant.*** The new bridge over Ellis Creek could be at risk of damage in a wildland fire. The risk to people from wildland fires would remain the same as the pre-project risk.

VIII.HYDROLOGY AND WATER QUALITY—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Environmental Setting

The project is located in the North Fork American hydrologic unit (hydrologic unit code 18020128). Seasonal surface runoff within the project area drains to Ellis Creek. The proposed bridge location is on FEMA Flood Insurance Map Community Panel Number 06017C0325E (Effective Date: 26 September 2008). The staging area at the end of 14N05 is on Panel No. 06061C0375F. The potential staging area at Loon Lake is on Panel No. 06017C0100E (Effective Date: 8 June 1998). The map panels have not been printed by FEMA. The panels are designated as "Zone D" meaning, areas in which flood hazards are undetermined. El Dorado County prepared a site specific hydraulics study to determine the flood plain elevation at the proposed bridge location.

Potential Environmental Effects

a) ***Less Than Significant.*** The Project will not violate water quality or waste discharge requirements. Water quality objectives will be met through adherence to construction provisions, precautions, and stipulations as described in the National Pollution Discharge Elimination System (NPDES) permit, Section 404 CWA permit, Section 401 Water Quality Certification, and 1602 Streambed Alteration Agreement. Coverage under the current Statewide General Permit for Discharges of Storm Water Associated with Construction Activity will be obtained. In accordance with the provisions of the General Permit, the County will require the contractor to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) to reduce or minimize discharge of pollutants from construction activities.

b) ***No Impact.*** The project would not involve any withdrawals from an aquifer or groundwater table.

c) ***No Impact.*** The project would not substantially alter the drainage pattern of the site. The Rubicon Trail will be slightly realigned at the new bridge crossing. Rain and snow runoff in the project area will continue to drain to Ellis Creek. The project would not realign Ellis Creek.

d) ***No Impact.*** The project would not alter the course of Ellis Creek or substantially alter drainage patterns within the project site that would cause flooding on- or off-site.

e) ***No Impact.*** Installation of the new bridge would not provide additional sources of runoff. Water quality will be protected during project construction by adherence to construction provisions, precautions,

and stipulations as described in the NPDES, Section 404, Section 401, and 1602 Streambed Alteration Agreement permits.

f) ***No Impact.*** No additional impacts are anticipated.

g) ***No Impact.*** The Project is a roadway improvement project, and no housing development is associated with the project.

h) ***No Impact.*** The bridge deck is designed to pass 100-year flood flows and debris. The western abutment of the bridge would be located within the 100-year floodplain; however, flood flows would continue to be constrained to the current 100-year floodplain.

i) ***No Impact.*** The project would not expose people or structures to a significant risk of loss, injury, or death involving flooding as a result of a failure of a levee or dam.

j) ***No Impact.*** The project is not in an area subject to seiche or tsunami.

IX. LAND USE AND PLANNING—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Environmental Setting

The Project is located in the Eldorado National Forest.

Potential Environmental Effects

a) ***No Impact.*** The project will not divide a community.

b) ***No Impact.*** The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

c) ***Less Than Significant.*** The El Dorado County General Plan requires the County to prepare an Integrated Natural Resources Management Plan (INRMP) that identifies important habitat in the County and establishes a program for effective habitat preservation and management. The Plan is still in process it is not anticipated to be adopted until after this project has been completed.

X. MINERAL RESOURCES—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Environmental Setting

El Dorado County is considered a mining region capable of producing a wide variety of mineral resources. Metallic mineral deposits, gold in particular, are considered the most significant extractive mineral resources. No mineral extraction activities occur on or in the vicinity of the Project.

Potential Environmental Effects

a) ***No Impact.*** The Project is not within or adjacent to any important mineral resource areas (El Dorado County 2004, Figure CO-1); therefore, the Project would not impact the availability of mineral resources that would be of value to the region or the state.

b) ***No Impact.*** The Project does not occur at a locally important mineral resource recovery site.

XI. NOISE—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Environmental Setting

The Project is located in an uninhabited area with no noise-sensitive land uses in the vicinity. There is an existing helicopter landing area near the Loon Lake Chalet.

Potential Environmental Effects

a) ***No Impact.*** The Project is located in an uninhabited area.

b) ***No Impact.*** The Project is located in an uninhabited area.

c) ***No Impact.*** The Project is not traffic or growth-inducing and will not result in a permanent increase in ambient noise levels.

d) ***No Impact.*** The project description and construction methods section of this document identifies the type of activities that would temporarily increase noise levels in the vicinity of the project. Because these increases would be temporary and because the project is located in an uninhabited area, there would be no impact as a result of construction noise.

e) ***No Impact.*** The Project is not located within an airport land use plan area or within two miles of a public or public use airport.

f) ***No Impact.*** The Project is not located within the vicinity of a private airstrip.

XII. POPULATION AND HOUSING—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Environmental Setting

The Project occurs in an unpopulated area within the Eldorado National Forest.

Potential Environmental Effects

a) ***No Impact.*** The Project will not induce population growth either directly or indirectly because the project does not involve road extensions or expansion of infrastructure in a populated area. Land surrounding the project is the Eldorado National Forest.

b) ***No Impact.*** The Project does not involve the displacement of any housing.

c) ***No Impact.*** The Project does not involve the displacement of people.

XIII.PUBLIC SERVICES—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	☐	☐	☐	☒
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒

Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

Environmental Setting

No government facilities occur within or adjacent to the project area.

Potential Environmental Effects

a–e) ***No Impact.*** The Project will not result in an increase in population served by government facilities. The Project will not require the provision of, or need for, new or altered governmental facilities. The Project will not impact acceptable service ratios, response times, or other performance objectives for any public services.

XIV. RECREATION:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Environmental Setting

An undeveloped campsite occurs in the southern portion of the project area.

Potential Environmental Effects

a) ***Less Than Significant.*** Installation of the new bridge would not appreciably change the amount of traffic on the Rubicon Trail or the numbers of the public using the undeveloped campsite adjacent to the project area. Traffic is already limited to vehicles that can navigate uneven terrain. The Rubicon Trail would remain an unpaved backcountry road.

b) ***No Impact.*** The Project does not include the construction of any recreational facilities and would not require the expansion of existing recreational facilities. The new bridge would be an infrastructure improvement to an existing public road.

XV. TRANSPORTATION/TRAFFIC—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☐	☒	☐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Result in inadequate parking capacity?	☐	☐	☐	☒
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

Environmental Setting

The Rubicon Trail is a rural, unpaved backcountry road that traverses the project area..

Potential Environmental Effects

a) ***Less Than Significant.*** No circulation plan is currently in effect on the Rubicon Trail within the project area. Traffic is already limited to vehicles that can navigate uneven terrain. The road would remain an unpaved backcountry road. The Trail is a public road under federal law R.S. 2477, and access to the Trail cannot be prohibited. The Trail will remain open during the construction window.

b) ***No Impact.*** The Rubicon Trail is a public, unpaved, backcountry road and does not have an established level of service designation. It is not regulated under an existing congestion management program.

c) ***No Impact.*** The Project would not result in a change in air traffic patterns.

d) ***No Impact.*** The Project will result in a safer crossing of Ellis Creek. The project would not include design features such as sharp curves, dangerous intersections, or turning radii that would increase hazards. Because uses of the roadway and surrounding areas would not change, it would likewise not result in any use incompatibility.

e) ***No Impact.*** The Project will not result in inadequate emergency access.

f) ***No Impact.*** The Project will not result in inadequate parking capacity.

g) ***No Impact.*** The Project will not conflict with established alternative transportation goals.

XVI. UTILITIES AND SERVICE SYSTEMS—Would the project:	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

Environmental Setting

There are no storm drainage facilities within the project area.

Potential Environmental Effects

a) ***No Impact.*** The Project would not produce additional wastewater, and therefore, would not exceed the applicable wastewater treatment requirements**.**

b) ***No Impact.*** The Project would not increase the demand on existing water or wastewater treatment facilities.

c) ***No Impact.*** The Project would not require or result in the construction of new storm water drainage facilities or the expansion of existing facilities.

d) ***No Impact.*** The Project would not require water service.

e) ***No Impact.*** The Project would not produce wastewater.

f) ***No Impact.*** Solid waste generated by the project would be limited to debris generated during construction . Solid waste disposal would occur in accordance with federal, state, and local regulations. Disposal would occur at permitted landfills. Therefore, the project would not generate the need for new solid waste facilities.

g) ***No Impact.*** The Project would conform to all applicable state and federal solid waste regulations.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE (To be filled out by Lead Agency if required)	*Potentially Significant Impact*	*Potentially Significant Unless Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

a) ***Less Than Significant with Mitigation Included.*** Through the use of Best Management Practices and the mitigation measures noted previously, the Project will not degrade the quality of the environment.

b) ***No Impact.*** The Project will not result in cumulatively considerable impacts.

c) ***No Impact.*** The Project will provide a safer crossing of Ellis Creek for vehicles travelling along the Rubicon Trail and will not cause adverse effects on human beings.

4. DETERMINATION

4.1 Environmental Factors Potentially Affected

This Initial Study has determined that in the absence of mitigation the proposed Project could have the potential to result in significant impacts associated with the factors checked below. Mitigation measures are identified in this Initial Study that would reduce all potentially significant impacts to less-than-significant levels.

___	Aesthetics	___	Mineral Resources
___	Agricultural Resources	___	Noise
___	Air Quality	___	Population and Housing
✓	Biological Resources	___	Public Services
✓	Cultural Resources	___	Recreation
___	Geology and Soils	___	Transportation/Traffic
___	Hazards and Hazardous Materials	___	Utilities and Service Systems
___	Hydrology and Water Quality	✓	Mandatory Findings of Significance
___	Land Use and Planning	___	None Identified

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project-specific mitigation measures described in Section III have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the Project MAY have a "Potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Janet Postlewait — November 23, 2010

Signature — Date

Name and Title: Janet Postlewait, Principal Planner

[Blank Page]

5. REPORT PREPARATION AND REFERENCES

5.1. Report Preparation

El Dorado County Department of Transportation – CEQA Lead Agency

Chuck Pazzi, P.E.	Supervising Civil Engineer
Jennifer Maxwell, P.E.	Senior Civil Engineer
Dustin Harrington, P.E.	Associate Civil Engineer
Janet Postlewait	Principal Planner

Sycamore Environmental Consultants, Inc.

R. John Little, Ph.D.	CEQA/NEPA Program Manager, President
Jeffery Little	Project Manager, Vice President
Chuck Hughes, M.S.	Botanist/Professional Wetlands Scientist
Adam Forbes, M.S.	Botanist/ Biologist
Jessica Easley	Biologist/Environmental Analyst
David Chapman	Environmental Analyst
Aramis Respall	CAD/GIS Analyst

Tremaine & Associates, Inc. – Cultural Resource Assessment

Kim Tremaine	Principal Investigator (Archaeology)
Dwight Simons	Archaeologist
John Lopez	Archaeologist

5.2. References

Bryant, W. A. and E. W. Hart. Interim revision 2007. Fault-rupture hazard zones in California: Alquist-Priolo earthquake fault zoning act with index to earthquake fault zone maps. Special publication 42. California Department of Conservation, California Geological Survey, Sacramento, CA.

Department of Conservation. August 2000. A general location guide for ultramafic rocks in California – Areas more likely to contain naturally occurring asbestos. Division of Mines and Geology, open-file report 2000-19. ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/ofr_2000-019.pdf.

California Department of Conservation. Accessed 18 November 2009. Natural hazards disclosure - Seismic Hazards Zones. http://www.consrv.ca.gov/CGS/shzp/Pages/SHMPrealdis.aspx#act_work.

California Department of Conservation. December 2009. El Dorado County Important Farmland 2008. Division of Land Resource Protection, Farmland Mapping and Monitoring Program. ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/eld08.pdf

California Department of Fish and Game (DFG). 25 March 2009. Memorandum from K. Smith, Habitat Conservation Program Manger, to W. S. Wyels, Chief Compliance Enforcement Section, CA Regional Water Quality Control Board. Subject: Department of Fish and Game review of California Regional Water Quality Control Board's January 23, 2009, letter describing draft Cleanup and Abatement Order for the Rubicon Trail in El Dorado County (No. R5-2009-0030).

California Environmental Protection Agency. Accessed 20 November 2009. Cortese List Data Sources. http://www.calepa.ca.gov/SiteCleanup/CorteseList/.

California Regional Water Quality Control Board, Central Valley Region. April 2009. adopted a Cleanup and Abatement Order (CAO; No. R5-2009-0030).

California Stormwater Quality Association. January 2003. Stormwater best management practice handbook: Construction. Prepared by Camp Dresser & McKee, Inc. and Larry Walker Associates.

County of El Dorado Grading, Erosion and Sediment Control Ordinance (Ordinance No. 3883, amended Ordinance Nos. 4061, 4167, 4170)

El Dorado County Air Polution Control District. February 2002. Guide to air quality assessment, determining significance of air quality impacts under the California Environmental Quality Act

El Dorado County. May 2003. El Dorado County General Plan Draft Environmental Impact Report. http://co.el-dorado.ca.us/Planning/GeneralPlanDraftEIR.htm.

El Dorado County. September 2010. Draft Ellis Creek Crossing Bridge Drainage Design Report.

El Dorado County. 2004. El Dorado County General Plan: A Plan for Managed Growth and Open Roads; a Plan for Quality Neighborhoods and Traffic Relief (2004)

Environmental Stewardship & Planning, Inc. (ESP). June 2007. Draft Rubicon Trail master plan, alternatives A and B. Prepared for El Dorado County Department of General Services.

FEMA. Flood Insurance Rate Map Panel 06017C0325E, 06017C0100E (Effective Date: 8 June 1998), and 06061C0375F.

Governor's Office of Planning and Research (OPR). 19 June 2008. Technical advisory: CEQA and climate change: Addressing climate change through California Environmental Quality Act (CEQA) Review. Sacramento, CA. http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf.

Jameson, E. W. and H. J. Peeters. 2004. California mammals. University of California Press, Berkeley, CA.

Lipton, Dawn. Fish and Wildlife/Botany/Range Program Leader, Eldorado National Forest. October 2009. Phone conversation regarding special-status wildlife species in the ENF; provided list of sensitive wildlife species in the ENF.

Sacramento Area Council of Governments (SACOG). 21 August 2008. Metropolitan Transportation Improvement Program 2009/12. SACOG-08-015. http://www.sacog.org/mtip/documents/pdf/2008/09/25/Final%2009-12%20MTIP%209-25-08.pdf.

Snyder, S. A. 1991. *Martes americana. In:* Fire effects information system. U.S. Department of Agriculture, Forest Service, Rocky Mountain Research Station, fire sciences laboratory. <http://www.fs.fed.us/database/feis/animals/mammal/maam/all.html>

Sycamore Environmental Consultants, Inc. August 2010. Natural environment study and jurisdictional delineation report for the Rubicon Trail at Ellis Creek Bridge project, El Dorado County, CA.

Taber Consultants. December 2009. Foundation investigation, Ellis Creek Bridge, Rubicon Trail at Ellis Creek, El Dorado County, California.

Tremaine & Associates, Inc. October 2010. Archeological survey report: Rubicon Trail at Ellis Creek Bridge project, El Dorado County, CA.

Tremaine & Associates, Inc. October 2010. Historic property survey report: Rubicon Trail at Ellis Creek Bridge project, El Dorado County, CA.

USDA Forest Service. 1985. Soil survey Eldorado National Forest. USDA Forest Service, Pacific Southwest Region in cooperation with USDA Soil Conservation Service, California Department of Forestry, and University of California Agricultural Experiment Station.

U.S. Department of Agriculture, U.S. Forest Service (USDA USFS). September 2000. Water Quality Management for Forest System Lands in California, Best Management Practices. Pacific Southwest Region.

U.S. Forest Service (USFS). 1988. Eldorado National Forest Land and Resource Management Plan. Pacific Southwest Region.

U.S. Forest Service (USFS). January 2004 (2004a). Sierra Nevada forest plan amendment final supplemental environmental impact statement, record of decision. Pacific Southwest Region. <http://www.fs.fed.us/r5/snfpa/final-seis/index.html>

U.S. Forest Service (USFS). January 2004 (2004b). Sierra Nevada forest plan amendment final supplemental environmental impact statement, Vol. 1 and 2. Pacific Southwest Region. <http://www.fs.fed.us/r5/snfpa/final-seis/index.html>

U.S. Forest Service (USFS). October 2006. Low-Water Crossings: Geomorphic, Biological, and Engineering Design Considerations. Forest Service National Technology and Development Program.

Zeiner, D., K. Mayer, and W. Laudenslayer, Jr., eds. 1988. California's wildlife, Volume I, Amphibians and reptiles. California Department of Fish and Game, Sacramento, CA.

Zeiner, D., K. Mayer, M. White, and W. Laudenslayer, Jr., eds. 1990a. California's wildlife, Volume II, Birds. California Department of Fish and Game, Sacramento, CA.

Zeiner, D., K. Mayer, M. White, and W. Laudenslayer, Jr., eds. 1990b. California's wildlife, Volume III, Mammals. California Department of Fish and Game, Sacramento, CA.

[Blank Page]

APPENDIX A

Mitigation Monitoring and Reporting Plan

[Blank Page]

Mitigation Monitoring and Reporting Plan
for the
Rubicon Trail at Ellis Creek Bridge
Low Water Crossing Conversion Project

CEQA Lead Agency:
El Dorado County

Prepared: November 2010

Adopted by Board of Supervisors on: _____

[Blank Page]

Introduction

Purpose

El Dorado County (County) Department of Transportation (DOT) has prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) for the proposed Rubicon Trail at Ellis Creek Project. The County DOT, in conjunction with the California Department of Transportation (Caltrans), and the Federal Highway Administration (FHWA), is proposing to construct a new bridge on the Rubicon Trail over Ellis Creek. The proposed project is to construct a new 16 ft wide, prefabricated steel truss bridge downstream of the existing low water crossing through Ellis Creek on the Rubicon Trail. The proposed Project is described in more detail in the Initial Study.

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. El Dorado County DOT, 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 mitigation monitoring or reporting plans when they approve projects under a MND. The reporting and monitoring plans 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 Plan

The MMRP summarizes the impacts and mitigation measures identified and described in the Project IS/MND. Each of the impacts discussed within this MMRP is numbered based on the sequence in which they are discussed in the IS/MND. A summary of each impact with the corresponding specific mitigation measures are provided. Mitigation measures are followed by an implementation description, the criteria used to determine the effectiveness of the mitigation, the timeframe for implementation, and the party responsible for monitoring the implementation of the measure.

Implementation of mitigation measures is ultimately the responsibility of DOT; during construction, the delegated responsibility is shared by DOT contractors. Each mitigation measure in this plan contains a "Verified By" signature line, which will be signed by the DOT Project manager when the measure has been fully implemented and no further actions or monitoring are necessary for the implementation or effectiveness of the measure.

Impacts and Associated Monitoring or Reporting Measures

Impact BIO-1: Potential impacts on Sierra Nevada yellow-legged frog.

Mitigation Measure BIO-1: The following avoidance and minimization measures will be implemented to protect SNYLF:

- Temporary orange construction barrier fencing (or sedimentation fencing where required by permits) shall be installed at the upstream and downstream limits of the BSA along the creek. The fencing shall be installed after initial clearing of vegetation but prior to any further work on the Project.
- The Project shall prepare and follow a storm water pollution prevention plan (SWPPP) in order to obtain and comply with a Section 401 CWA water quality certification. The purpose of the SWPPP is to avoid and minimize Project impacts to water quality.
- A preconstruction survey for Sierra Nevada yellow-legged frog shall occur immediately prior to the initiation of construction activities in the riparian scrub or in Ellis Creek. The preconstruction survey shall be conducted by a biologist experienced with ranid surveys in California. If Sierra Nevada yellow-legged frog is not found construction will proceed. If Sierra Nevada yellow-legged frog is found, construction will not proceed in the riparian scrub or Ellis Creek until either the frog has left, or the biologist contacts DFG, USFWS, and USFS for permission to move the frog.
- A qualified biologist will be present during the grubbing and clearing activities in the riparian and aquatic habitat in the project area.

Implementation: The County will retain the services of a qualified biologist to conduct pre-construction surveys and will implement the measures described above.

Effectiveness Criteria: The County will prepare and keep on file documentation verifying the implementation of the above referenced measures.

Timing: Pre-Construction Phase and Construction Phase.

Verified By: Date:

County Project Manager

Impact BIO-2: Potential impacts on Migratory Bird and Birds of Prey.

Mitigation Measure BIO-2: The County will implement the following measures to minimize or avoid Project-related effects on nesting Migratory Bird and Birds of Prey.

- If construction begins between February 15th and September 15th, a biologist shall conduct a survey for active nests in the BSA and within 250 ft of the BSA within 30 days prior to construction. If no active nest of a bird of prey or MBTA bird is found, then no further action is necessary.
- If an active nest of a bird of prey or MBTA bird is found, then the biologist shall establish a minimum 250-ft Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of

prey, and a minimum 100-ft ESA around the nest if the nest is of a MBTA bird other than a bird of prey.

- 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 that no disturbance to the active nest is occurring. The size of suitable buffers depends on the species of bird, the location of nest relative to the project, project activities during the time the nest is active, and other project specific conditions.

Implementation: The County will retain the services of a qualified biologist to conduct pre-construction surveys and will implement the measures described above.

Effectiveness Criteria: The County will prepare and keep on file documentation verifying the implementation of the above referenced measures.

Timing: Pre-Construction Phase

Verified By: Date

County Project Manager

Impact BIO-3: Impacts on Mountain Alder Riparian Scrub habitat.

Mitigation Measure BIO-3: Restoration and revegetation of mountain alder riparian scrub in the project area will ensure that impacts to this resource are less than significant.

- Restore 0.04 ac of mountain alder riparian scrub in the abandoned portion of the Rubicon Trail and in the RSP around the new bridge.
- Revegetate graded areas and replant native riparian trees in the study area in accordance with the Compensatory Mitigation and Monitoring Plan (Appendix F of the NES; Sycamore Environmental 2010).

Implementation: The County will implement the measures described above.

Effectiveness Criteria: The County will prepare and keep on file documentation verifying the implementation of the above referenced measures.

Timing: Post-Construction Phase

Verified By: Date

County Project Manager

Impact BIO-4: Impacts on native upland trees.

Mitigation Measure BIO-4: Restoration and revegetation of native upland trees in the project area will ensure that impacts to this resource are less than significant.

- Revegetate graded areas and replant native trees in non-riparian areas in accordance with the Compensatory Mitigation and Monitoring Plan (Appendix F of the NES; Sycamore Environmental 2010).

Implementation:	The County will implement the measures described above.
Effectiveness Criteria:	The County will prepare and keep on file documentation verifying the implementation of the above referenced measures.
Timing:	Post-Construction Phase
Verified By:	Date
	County Project Manager

Impact BIO-5: Impacts on waters of the United States.

Mitigation Measure BIO-5: The County will implement the following measures to mitigate impacts to waters of the U.S.

- Restore approximately 0.01 ac in the Ellis Creek bed and approximately 0.01 ac of Channel 1 where the road will be abandoned.

Implementation:	The County will implement the measures described above.
Effectiveness Criteria:	The County will prepare and keep on file documentation verifying the implementation of the above referenced measures.
Timing:	Post-Construction Phase
Verified By:	Date
	County Project Manager