

Appendix B: Comments and Responses

Bucks Bar Road at North Fork Cosumnes River Bridge (No. 25C0003) Replacement Project (SCH # 2015062079)

Section 1. List of Comment Letters Received

Eight (8) comment letters and/or emails were received. Table 1 lists the names of the individuals, organizations, and agencies in alphabetical order that provided comments on the Initial Study/Mitigated Negative Declaration. The letters are included, followed by a response to the comment(s).

Table 1. Comment Letters Received

Letter	Commenter
1	California State Lands Commission
2	Pioneer Law Group, LLP for Chris Smith
3	Central Valley Regional Water Quality Control Board
4	State Clearinghouse
5	U.S. Army Corps of Engineers, Sacramento District
6	David Wright and Susan Jones
7	Mel Chapman
8	Mark Almer

Section 2. Responses to Comments

Comment Letter 1: California State Lands Commission

CALIFORNIA STATE LANDS COMMISSION

100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202



Established in 1938

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 Fax (916) 574-1810
California Relay Service TDD Phone 1-800-735-2929
from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890
Contact FAX: (916) 574-1885

August 20, 2015

File Ref: SCH #2015072043

Janet Postlewait, Transportation Division
El Dorado County Community Development Agency
2850 Fairlane Court
Placerville, CA 95667

**Subject: Mitigated Negative Declaration (MND) for, Bucks Bar Road at North Fork
Cosumnes River Bridge Replacement Project**

Dear Ms. Postlewait:

The California State Lands Commission (CSLC) staff has reviewed the subject MND for the Bucks Bar Road at North Fork Cosumnes River Bridge Replacement Project (Project), which is being prepared by the Transportation Division of the El Dorado County Community Development Agency (EDCCDA). The EDCCDA, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses.

CSLC Jurisdiction and Public Trust Lands

After review of the information contained in the MND, CSLC staff has determined that the bed of the North Fork Cosumnes River at the Project location, may include State-owned sovereign land; however, the extent of the State's sovereign interest, at the project location, has not been determined. Therefore, a lease from the CSLC will not be required for the Project. A lease may be required at such time in the future that the exact extent of the State's fee ownership is determined.

Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (Article 10, Section 4), a condition of statehood in the Act of Admission (Vol. 9, Statutes at Large, page 452), and a responsibility of State agencies pursuant to the Public Trust Doctrine. In this case, the Legislature has provided a process to be followed for promoting access at bridge sites in the California Streets and Highways Code (see § 991). During the design hearing process and prior to CSLC consideration of approval of a bridge project, EDCCDA is required to prepare a report on the feasibility of providing public access to the waterway for recreational purposes, and determine if such public access will be provided.

Please also be advised that the subject waterway involved in the Project area, even if it is not subject to CSLC leasing jurisdiction, is subject to a public navigational easement. This easement provides that the public has the right to navigate and exercise the incidences of navigation in a lawful manner on State waters that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but are not limited to, rafting, rowing, fishing, fowling, bathing, and other water-related public uses (*People ex rel. Baker v. Mack (1971)*). In addition to compliance with California Streets and Highways Code section 991, Project activities must not restrict or impede the navigation and recreational rights of the public.

These comments are made without prejudice to any future assertion of State ownership or public rights, should circumstances change, or should additional information become available. These comments are not intended, nor should they be construed as a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction.

Project Description

The EDCCDA proposes to replace the existing Bucks Bar Road Bridge over the North Fork Cosumnes River. The EDCCDA has determined that the existing bridge requires replacement, and the Project meets the EDCCDA's objectives and needs as follows:

- The existing bridge, constructed in 1940, is one-lane and requires south- and north- bound traffic to stop for oncoming vehicles until the bridge is clear to proceed. The proposed bridge would be two-lane to improve traffic flow.
- The existing bridge railings, transitions, approach rails, and approach guardrails do not meet current standards, and therefore require replacement.
- The existing bridge is within the 100-year floodplain of the river and requires a higher elevation.
- The 2012 Average Daily Traffic document indicates that vehicles-per-day for the bridge is forecast to nearly double by 2032. Therefore, the Project is required to accommodate this volume.

The Project includes construction of a new bridge just upstream from the existing bridge, and removal of the existing bridge as illustrated on Figures 3 and 4 of the MND. From the Project description, CSLC staff understands the Project would include the following components:

- The proposed replacement bridge will be an approximately 210-foot-long, cast-in-place, pre-stressed box girder bridge.
- The superstructure would be supported on seat type abutments.
- The north abutment would be a cantilever abutment founded on a spread footing embedded into the underlying rock.
- The south abutment would be a seat type abutment founded on two large diameter Cast in Drilled Hole (CIDH) piles with rock sockets.
- Potential diversion of the river through a pipe through the construction zone during new bridge construction, designed for seasonal summer high flows and fish passage. This would also require temporary dewatering of the river channel.

The existing and proposed bridge support structures appear to be within the natural banks of the river channel as represented with Figure 3 and Figure 4. The offset alignment allows the bridge to remain open during construction, satisfying one of the major public concerns identified during community outreach. The road will remain open during construction, except for minor delays to traffic during the installation of the shoring and during construction of the roadway conforms. The existing bridge would be removed following completion of construction of the new bridge.

Environmental Review

CSLC staff requests that the EDCCDA consider the following comments on the Project's MND.

Biological Resources

1. Invasive Species: One of the major stressors in California waterways is introduced species. Therefore, the MND should consider the Project's potential to encourage the establishment or proliferation of non-native aquatic invasive species (AIS), such as fish, snails, clams, and aquatic and terrestrial plants. These types of AIS can be transported to the Project area via construction equipment that has been in contact with other infested waterways. AIS can be transported and introduced via construction equipment that has not been cleaned, drained, and dried. If the analysis in the MND finds potentially significant AIS impacts, possible mitigation could include ensuring that all construction equipment is cleaned, drained, and dried prior to contact with the Project area waterway and following completion of construction activities. The California Department of Fish and Wildlife's (CDFW) Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at www.dfg.ca.gov/invasives/).

In addition, in order to protect at-risk fish species, the MND should examine if any elements of the Project (e.g., vegetation removal, sediment removal, etc.) would favor non-native species within the Project area waterways.

Recreation

2. Public Access: The MND should include further analysis of the potential for the Project to affect recreational uses and public access to the subject waterway. The MND should discuss the recreational uses and access points in the Project vicinity, whether and to what extent these uses would be facilitated or disrupted by the Project, and what, if any measures could be implemented to reduce any potential negative impacts. This discussion should also identify any safety measures EDCCDA will put in place to ensure public safety for recreational activities. Measures could include a public notice and Project area signage provided in advance of the Project, notifying the public of any disruptions or creation of alternate access points or use areas.

Pursuant to California Streets and Highways Code section 991, during the design hearing process, full consideration of, and a report on, the feasibility of providing

public access to the subject waterway is required to be provided. The report should consider the following:

- An assessment of public access needs at the Project location, in addition to a benefit analysis of public access alternatives, not alternatives to access;
- A description of existing public access points and facilities in the Project vicinity, including the existing condition of these resources and entity responsible for maintenance;
- An assessment of existing constraints and hazards that could make on-site public access infeasible;
- A feasibility assessment of proposed on-site public access infrastructure, such as construction of trails, stairs, parking areas, trash cans, restrooms, etc.;
- A feasibility assessment of alternatives, if on-site public access is infeasible, such as improving existing public access in the Project vicinity, or creating new public access points that could provide a means to access the subject waterway within the project vicinity;
- Environmental impacts of providing public access; and
- A conclusion on the feasibility of providing public access.

If the report determines that public access is feasible, the MND must reflect how public access improvements will be incorporated into the Project and identify any associated environmental impacts. Planning for preparation of the report should occur during the earliest stages of Project planning, and the report should be used to support the environmental impact analysis of the MND.

Thank you for the opportunity to comment on the MND for the Project. Please send copies of future Project-related documents, including electronic copies of the Final MND, Mitigation Monitoring and Reporting Program, and Notice of Determination when they become available, and refer questions concerning environmental review to Jason Ramos, Senior Environmental Scientist, at (916) 574-1814 or via e-mail at jason.ramos@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Marlene Schroeder, Public Land Management Specialist, at (916) 574-2320, or via e-mail at marlene.schroeder@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
J. Ramos, CSLC
M. Schroeder, CSLC
W. Crunk, CSLC

Response 1: California State Lands Commission (CSLC)

Response to CSLC Comment 1

The Project has been designed to minimize impacts to aquatic features including the North Fork Cosumnes River, a wetland, and two ephemeral drainages which reduces the potential for the introduction non-native aquatic invasive species. The Project will result in a temporary disturbance of approximately 0.444 acres of North Fork Cosumnes River. The Project will not have permanent impacts to North Fork Cosumnes River, the wetland, or two ephemeral drainages in the Project area.

The following measures contained in mitigation measure BIO-5 reduce the potential impacts associated with introduction and spread non-native aquatic and terrestrial invasive species.

- *A silt curtain/fence will be used around any in-water work area to minimize turbidity and sedimentation. Equipment will be refueled and serviced at designated construction staging areas. All construction material will be stored and contained in a designated area that is located away from channel areas to prevent transport of materials into the adjacent North Fork Cosumnes River. The preferred distance is a minimum 100 ft from the wetted width of the river. A silt fence will be installed to collect any discharge, and adequate materials for spill cleanup will be kept on site.*
- *If dewatering is required, the contractor will prepare a creek dewatering plan that complies with any applicable permit conditions. A qualified biologist will conduct a survey of the area to be dewatered immediately after installation of the dewatering device, prior to the continuation of dewatering activities. The biologist will use a net to capture trapped fish in the area to be dewatered. Captured fish will be released into North Fork Cosumnes River downstream of the active construction zone. Capturing of fish will continue during dewatering activities when fish are concentrated and easier to catch.*
- *The creek dewatering plan will include Caltrans BMP NS-5 (Clear Water Diversions) and other applicable Caltrans BMPs. NS-5 requires construction vehicles and equipment to be maintained to prevent contamination of soil or water from external grease, oil, hydraulic fluid, fuel, oil, and other residues.*
- *All disturbed soils in the BSA will undergo erosion control treatment prior to October 15 and/or immediately after construction is terminated at the completion of the Project. Treatment includes temporary seeding and the application of sterile straw mulch. Any disturbed soils on a gradient of over 30 percent will have erosion control blankets installed. Permanent vegetation and tree replanting will take place in small openings in the erosion control blanket, with native species.*
- *Native trees should be avoided and preserved to the maximum extent practicable.*
- *A litter control program shall be instituted at the entire Project site. All workers will ensure that food scraps, paper wrappers, food containers, cans, bottles, and other trash from the study area are deposited in covered or closed trash containers.*
- *Areas temporarily disturbed will be revegetated and reseeded with native grasses and other native herbaceous annual and perennial species. Reseeded areas will be covered with a biodegradable erosion control fabric to prevent erosion and downstream sedimentation. The project engineer will determine the specifications needed for erosion control fabric (e.g., shear strength) based on anticipated maximum flow velocities and soil types. The seed type will consist of commercially available native grass and herbaceous species. No seed of nonnative species will be used unless certified to be sterile.*

Implementation of the measures listed above will limit the potential for the introduction of non-native aquatic invasive species and provide conditions favorable native species.

Response to CSLC Comment 2

Section 4.2.16 (Recreation) of the IS states:

“There are no designated recreation facilities within or immediately adjacent to the proposed project area. An access path to the Cosumnes River Gorge occurs approximately 0.4 mile north of the Project site along Bucks Bar Road. The path provides public access to the Cosumnes River Gorge downstream of the Project area.”

The Cosumnes River Gorge access path does not occur within the Project limits. The path connects to Bucks Bar Road approximately 0.4 mile north of the Project. The path provides public access to the Cosumnes River Gorge downstream of the Project area. The proposed Project would not affect the access path. No public access from the bridge to the access path currently exists.”

Based on the distance from the Project site to the Cosumnes River Gorge path (0.04 mile) implementation of the proposed Project will not affect existing river access. The existing bridge and the proposed bridge are both single span bridges which do not hinder the public’s right to navigate and exercise the incidences of navigation in a lawful manner on the Cosumnes River.

Within the Project area private property borders the River on either bank. The steep bedrock banks of the river do not provide a suitable trail location. The Cosumnes River Gorge access path occurs 0.4 mile north of the Project site. The IS documents the determination that given the nearby river access point, the private property adjacent to the river, and the lack of suitable access points in the Project area, no new public access point is proposed.

Comment Letter 2: Pioneer Law Group, LLP for Chris Smith



Jeffrey K. Dorso
Partner

Joel Patrick Erb
Partner

Andrea A. Matarazzo
Partner

Blair W. Will
Of Counsel

Jay M. Harris
Associate

August 18, 2015

Via Electronic and U.S. Mail
janet.postlewait@edcgov.us

Janet Postlewait, Principal Planner
El Dorado County Community Development Agency
Transportation Division
2850 Fairlane Court
Placerville, CA 95667

Re: Bucks Bar Road at North Fork Cosumnes River – Bridge
Replacement (Bridge No. 25C0003) (CIP #77116)
Our File No. 3964-001

Dear Ms. Postlewait:

Thank you for the opportunity to comment on the Initial Study/Mitigated Negative Declaration (“IS/MND”) for the Bucks Bar Bridge Replacement Project (“Project”) circulated for public review on July 20, 2015. These comments are submitted on behalf of property owner Chris Smith, who is most directly and substantially affected by the significant environmental impacts of the proposed Project.

Having reviewed the IS/MND for the Project, we are concerned that the County has failed to adequately (1) disclose the true scope and character of its proposed activities; and (2) evaluate the project’s significant adverse environmental impacts, as required by the California Environmental Quality Act (“CEQA”) (Pub. Resources Code, § 21000 et seq). Our specific comments on the IS/MND are set forth below.

Project Description

1 The IS/MND fails to cure the ongoing lack of public disclosure regarding the fact that the proposed Project will demolish Mr. Smith's residence. The IS/MND is misleading because it characterizes the "Elmira Hutton Cabin" as if it were an abandoned old outbuilding owned by the County. (IS/MND, p. 45; see also Figure 3, Proposed Project Map.) In reality, it is Mr. Smith's residence and is owned and occupied by him. The proposed Project would demolish this residence, which must be replaced. Neither the project description nor the cost discussions in the IS/MND's alternatives evaluation disclose or account for this fact in any way. (See IS/MND, pp. 4-6, 20.) In addition, Figure 3 fails to clearly differentiate temporary and permanent impacts, and further fails to show proposed easements versus land that the County must acquire in fee as part of the proposed Project. The project description fails to provide sufficient information to the public and the decision-makers to understand the "whole of the action" being considered, and to evaluate the changes in the physical environment that will result, either directly or indirectly. (CEQA Guidelines, § 15378.)

Aesthetics

2 According to the IS/MND, the Project "would replace an existing bridge that is largely inconspicuous to viewer groups and is not a prominent visual feature in this area of rural El Dorado County." (IS/MND, p. 25.) The resulting conclusions in the IS/MND are not supported by substantial evidence because the document and its supporting study are not credible. Instead, they attempt to avoid the critical evaluation of the proposed Project's impacts that CEQA requires. (*Id.* at pp. 25-26; see Pub. Resources Code, § 21080(e)(1); CEQA Guidelines, § 15384 ["unsubstantiated opinion or narrative," or "evidence which is clearly erroneous or inaccurate" is not substantial evidence].) The IS/MND provides no discussion of the visual characteristics of the existing bridge or even a single photograph, such as this one:

Janet Postlewait, Principal Planner
El Dorado County Community Development Agency
Transportation Division
August 18, 2015
Page 3



Spring/Summer 2013

EL DORADO COUNTY

Adventures

Discover your next exciting adventure inside!

*El Dorado County's
bridges*

**WHERE TO GO,
WHAT TO DO**

- Recreation
- History
- Entertainment

**THE NEW GOLD
IN EL DORADO**

**REDEFINING THE
ANTIQUÉ STORE**

EDCAventures.com

Your department's Deputy Director of Engineering and many members of the public have described the existing structure as a "beautiful, single arch bridge" that contributes significantly to the aesthetic quality of the community and visual experience of visitors. It is a significant El Dorado County landmark that defines the existing visual quality of the area, and substantial evidence demonstrates that its demolition may result in a significant adverse environmental impact. (CEQA Guidelines, § 15384.)

Air Quality

The Mountain Counties Air Basin portion of El Dorado County is currently nonattainment for the national PM2.5 standard. (IS/MND, p. 28.) The IS/MND provides no information regarding the Project's potentially significant PM2.5 impacts. (*Id.* at p. 31.) While all particle pollution has the ability to create health impacts, PM2.5 (fine particles) is especially serious because the particles are so small that they can penetrate deep into the lungs. Consequently, exposure to PM2.5 can cause serious health problems and aggravate existing problems, yet the IS/MND fails to evaluate and disclose the Project's PM2.5 emissions.

3 The asserted "short term" nature of the construction period is not an evidentiary basis to conclude that the Project's PM2.5 emissions and associated impacts are not significant. Rather, it is reasonably foreseeable that the Project will have significant adverse impacts regarding regional and localized construction emissions, even with implementation of mitigation measures. The County is required under CEQA to fully disclose those impacts and mitigate them to the extent feasible. (Pub. Resources Code, §§ 21081, subd. (b), 21002.2, subd. (b).) Moreover, operational air quality impacts are understated due to the failure of the IS/MND to acknowledge that the Project will increase capacity and vehicle trips. (IS/MND, p. 31.)

Noise

4 The Project's reasonably foreseeable construction-related noise impacts are likely to be significant. The IS/MND seeks to avoid this conclusion and states, without evidence, that "[d]aytime construction would comply with noise standards for construction activities outlined in General Plan Policy 6.5.1.1."

4 (IS/MND, p. 61.) No information in the document or any supporting study shows that this is correct or even possible, and the document concedes that expected Project construction noise levels have not been determined. (*Id.* at pp. 60-61.) The short-term nature of construction noise does not establish that the impact is not significant, nor does mere compliance with the County's noise standards (assuming such compliance even can be achieved). (*Keep Our Mountains Quiet v. County of Santa Clara* (2015) 236 Cal.App.4th 714.)

Furthermore, the "exception" in the County's General Plan that allows excessive night-time construction noise if it would "alleviate traffic congestion and safety hazards" is not a basis to conclude that the physical impact of that noise is not significant. (IS/MND, pp. 60-61; *Keep Our Mountains Quiet, supra*, 236 Cal.App.4th 714.) The IS/MND fails to disclose and mitigate the Project's reasonably foreseeable significant construction noise impacts.

Transportation/Traffic

5 The IS/MND assumes, without evidence, that the bridge replacement project "would not change the amount of traffic on Bucks Bar Road because it is not a new development or growth inducing project." (IS/MND, p. 65.) This conclusion is inherently circular and is not supported by the facts, which show that even in its current condition as a narrow single lane, the bridge is busy – it is a main route into the South County and carries about 4,500 vehicles per day. (IS/MND, p. 64.) The bridge connects local travelers and visitors to Fair Play, Somerset, and their many popular wineries, among other destinations. If the proposed improvements are made – substantially increasing the bridge's width and creating two lanes where one exists – capacity and daily vehicle trips will increase. The environmental analysis fails to acknowledge this fundamental fact, rendering its impact conclusions unsupportable. (CEQA Guidelines, § 15384.)

Thank you for the opportunity to comment on the IS/MND. We look forward to resolution of Mr. Smith's concerns before the County considers whether to move forward with the proposed Project. Pursuant to Public

Janet Postlewait, Principal Planner
El Dorado County Community Development Agency
Transportation Division
August 18, 2015
Page 6

Resources Code section 21092.2, please send all Project notices to me at the above address.

Very truly yours,

PIONEER LAW GROUP, LLP

ANDREA A. MATARAZZO

AAM:jis
Enclosures

cc: Chris Smith

Response 2: Pioneer Law Group, LLP for Chris Smith

Response to Pioneer Law Group Comment 1

The IS states in multiple locations that an existing cabin, variously described as a single residential cabin, will be acquired and removed. Extensive public presentations in front of the Board of Supervisors for the past several years have also disclosed the right of way acquisition and subsequent removal of the cabin. The project outreach is discussed in section 3.1.2 of the IS. The cabin will be demolished and then removed. The IS makes the following statements regarding the Smith residence:

- Section 3.1.2 Public Outreach: *“The 40 mph alternative had the most right-of-way take, required removal of the cabin, but minimizes public traffic disruption, avoids a long-term detour and minimizes design exceptions. The 40 mph alternative had a construction cost estimate of \$2.7 million, slightly less than the 35 mph alternative. The 40 mph alternative bridge cost was estimated at \$2.5 million with \$200,000 for right-of-way.”*
- Section 3.2.5 Right-of-Way: *“There is an existing cabin on the south side of the river which would need to be acquired and removed prior to construction.”*
- Section 4.2.5 Cultural Resources: *‘Elmira Hutton Cabin: This single family residence was constructed in 1928, fronting a walkway along Bucks Bar Road. Historical data suggests the cabin was built for the daughter, Elmira Hutton, of long-time local landowner, Charles Williams. In 1970 the owners made significant changes to the building exterior and footprint. In 2002, the current owner made significant changes to the interior. Historical research could not find any association of the property with the Bucks Bar Road covered bridge (1914-1941) and had it, the significant changes to the cabin have altered it to the extent that it no longer retains its historical integrity except for location and setting. As a result, the property does not appear to meet the eligibility requirements of either the NRHP or CRHR (Tremaine 2015b).’*
- Section 4.2.9 Hazards and Hazardous Materials: *“The existing cabin on APN 093-131-12 will be removed by the Project and could possibly contain lead based paint and or asbestos containing materials. Implementation of HAZ-1 will reduce potential impacts to less than significant.”*
- Section 4.2.19 Population and Housing: *“The Project requires the acquisition of right-of-way including a portion of a property containing a single residential cabin. The County will implement the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and Title 49 Code of Federal Regulations (CFR) Part 24. All relocation services and benefits are administered without regard to race, color, national origin, or sex in compliance with Title VI of the Civil Rights Act (42 USC 2000d, et seq.).”*

Figure 3 (Proposed Project Map) shows that the cabin will be removed. The figure includes an arrow pointing to the cabin and a label stating “CABIN TO BE REMOVED”. The cross hatch pattern indicating the placement of RSP overlies the majority of the cabin location. The pink line work that indicates ‘Road and Bridge Improvements’ also overlies portions of the cabin location. Figure 3 (Project Impact Map) also includes a table of impact acreages, impacts to these areas are not calculated due to the high level of previous disturbance. Figure 3 adequately delineates temporary and permanent impacts and clearly indicates that the cabin will be removed. Figure 4 (Proposed Bridge Plan and Profile Views (Alternative A)) also shows the location of the cabin and includes the following label “EXIST CABIN TO

BE REMOVED”. The IS/MND provides sufficient public disclosure of the removal of Mr. Smith’s residence.

Response to Pioneer Law Group Comment 2

The existing bridge is described in Section 4.2.5 Cultural Resources where its design features and visual characteristics are compared to the two other open spandrel concrete arch bridges in the County.

The existing bridge is not a listed El Dorado County landmark. Neither the bridge nor Bucks Bar Road are designated as scenic views or resources in the County’s General Plan. The bridge is not eligible for listing on the National Register of Historic Properties or the California Register of Historic Resources.

The replacement of an arched bridge with a single-span bridge changes, but does not substantially degrade the existing visual character or quality of the site and its surroundings. The North Fork Cosumnes River is a scenic view. The low barrier rail proposed for the bridge has openings allowing views of the River both over and through the rail.

Response to Pioneer Law Group Comment 3

Short-term construction impacts associated with the proposed Project include fugitive dust and other particulate matter, as well as exhaust emissions generated by construction activities including grading, soil hauling, excavation and other dirt work. Additional short-term impacts also include emissions generated during construction of structural facilities, paving and striping, and the use of personal vehicles by construction workers.

The El Dorado County APCD – CEQA Guide (Guide) states that mass emissions of fugitive dust need not be quantified and may be assumed to be less than significant, if a project includes measures that will prevent visible dust beyond the property line, in compliance with Rule 403 of the South Coast AQMD (EDAQMD 2002). This recommendation was made prior to El Dorado AQMD’s adoption of Rule 223-1 (Fugitive Dust-Construction), which limits the fugitive dust from construction and construction-related activities and supersedes the Guide.

The Project is required to incorporate dust control measures in compliance with Rule 223-1 (see Section 3.3 of the Project Description). Therefore, the Projects impact with respect to PM2.5 is considered less than significant.

Response to Pioneer Law Group Comment 4

Daytime construction activity would comply with noise standards for construction activities outlined in General Plan Policy 6.5.1.11, which addresses the criteria for nighttime work.

Response to Pioneer Law Group Comment 5

The proposed Project is not a capacity increasing Project as determined by Caltrans. In rural areas, bridge rehabilitation or replacement projects that widen a single lane to a two lane structure are not considered to be capacity increasing. The Project does not add additional thru traffic lanes to Bucks Bar Road, rather the Project improves safety and corrects a hazardous location or feature. Excluding the minor road approach work (a total of approximately 550 ft) associated with the new bridge the proposed Project does not include any components that alter the geometry, width, or any other characteristic of Bucks Bar Road.

Bucks Bar Road, a 4.84 mile long road, is one of several routes from the general Placerville/Pleasant Valley/Apple Hill/Camino area to the Fair Play area of southern portion of El Dorado County. Both Bucks Bar Rd and Mt. Aukum Rd are classified by FHWA as major collector roads that connect to Pleasant Valley Road, a minor arterial road.

The El Dorado Winery Association's El Dorado Wine Country Map (http://eldoradowines.org/pdf/EDWA_Mastermap.pdf) and the Wineries of Fair Play' map (http://fairplaywine.com/images/Fairplay_2015.pdf) identify both Bucks Bar Road and Pleasant Valley Road to E16/ Mt. Aukum Rd as access points to Somerset and Fair Play. Five wineries are located along the Pleasant Valley to Mt. Aukum Road route.

**Comment Letter 3: Central Valley Regional Water Quality Control Board
(CVRWQCB)**



RECEIVED
DOT

2015 AUG 27 AM 11:52



EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

14 August 2015

Janet Postlewait
El Dorado County
Community Development Agency
2850 Fairlane Court
Placerville, CA 95667

CERTIFIED MAIL
7014 2870 0000 7535 4890

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, BUCK'S BAR ROAD AT NORTH FORK COSUMNES RIVER – BRIDGE REPLACEMENT (BRIDGE 25C0003) PROJECT, EL DORADO COUNTY

Pursuant to the El Dorado County Community Development Agency's 22 July 2015 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Buck's Bar Road at North Fork Cosumnes River – Bridge Replacement (Bridge No. 25C0003) Project, located in El Dorado County.

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

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits¹

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

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

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

¹ Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

For more information on the Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Regulatory Compliance for Commercially Irrigated Agriculture

If the property will be used for commercial irrigated agricultural, the discharger will be required to obtain regulatory coverage under the Irrigated Lands Regulatory Program.

There are two options to comply:

1. **Obtain Coverage Under a Coalition Group.** Join the local Coalition Group that supports land owners with the implementation of the Irrigated Lands Regulatory Program. The Coalition Group conducts water quality monitoring and reporting to the Central Valley Water Board on behalf of its growers. The Coalition Groups charge an annual membership fee, which varies by Coalition Group. To find the Coalition Group in your area, visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/irrigated_lands/app_approval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.
2. **Obtain Coverage Under the General Waste Discharge Requirements for Individual Growers, General Order R5-2013-0100.** Dischargers not participating in a third-party group (Coalition) are regulated individually. Depending on the specific site conditions, growers may be required to monitor runoff from their property, install monitoring wells, and submit a notice of intent, farm plan, and other action plans regarding their actions to comply with their General Order. Yearly costs would include State administrative fees (for example, annual fees for farm sizes from 10-100 acres are currently \$1,084 + \$6.70/Acre); the cost to prepare annual monitoring reports; and water quality monitoring

costs. To enroll as an Individual Discharger under the Irrigated Lands Regulatory Program, call the Central Valley Water Board phone line at (916) 464-4611 or e-mail board staff at IrrLands@waterboards.ca.gov.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

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



Trevor Cleak
Environmental Scientist

Response 3: Central Valley Regional Water Quality Control Board (CVRWQCB)

This letter reiterates standard requirements that are included in the MND document and mitigation measures as applicable. No response is necessary.

Comment Letter 4: State Clearinghouse (SCH)



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

August 21, 2015

Janet Postlewait
El Dorado County
2850 Fairlane Court
Placerville, CA 95667

Subject: Bucks Bar Road at North Fork Cosumnes River - Bridge (No. 25C0003) Replacement Project
SCH#: 2015072043

Dear Janet Postlewait:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 20, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
DOT
2015 AUG 27 AM 11:49

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015072043
Project Title Bucks Bar Road at North Fork Cosumnes River - Bridge (No. 25C0003) Replacement Project
Lead Agency El Dorado County

Type MND Mitigated Negative Declaration

Description El Dorado County Community Development Agency, Transportation Division (Transportation) proposes to replace the existing Bucks Bar Road Bridge over the North Fork Cosumnes River. Transportation will use Highway Bridge Program funds to replace the existing structure to improve roadway safety and comply with AASHTO design guidelines. The existing one lane reinforced concrete deck slab on reinforced concrete floor beam on open spandrel arch bridge was built in 1940. The current width only accommodates a single lane which forces southbound vehicles to yield to northbound travelers until the bridge is clear. The 2012 Average Daily Traffic at the bridge is approximately 4,500 vehicles per day.

Lead Agency Contact

Name Janet Postlewait
Agency El Dorado County
Phone 530 621 5993
email
Address 2850 Fairlane Court
City Placerville
Fax
State CA **Zip** 95667

Project Location

County El Dorado
City
Region
Lat / Long 38° 39' 12.4" N / 120° 42' 3.2" W
Cross Streets Bucks Bar Circle, Yosemite Place
Parcel No.
Township 9N **Range** 12E **Section** 6/7 **Base** MDB&M

Proximity to:

Highways
Airports
Railways
Waterways NF Cosumnes River
Schools
Land Use

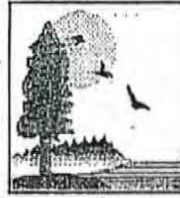
Project Issues Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Fish and Wildlife, Region 2; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 3 S; Air Resources Board; Regional Water Quality Control Bd., Region 5 (Sacramento); Native American Heritage Commission; State Lands Commission

Date Received 07/22/2015 **Start of Review** 07/22/2015 **End of Review** 08/20/2015

CALIFORNIA STATE LANDS COMMISSION
 100 Howe Avenue, Suite 100-South
 Sacramento, CA 95825-8202

*clear
8/20/15
E*



Established in 1938

JENNIFER LUCCHESI, Executive Officer
 (916) 574-1800 Fax (916) 574-1810
 California Relay Service TDD Phone 1-800-735-2929
 from Voice Phone 1-800-735-2922

Contact Phone: (916) 574-1890
 Contact FAX: (916) 574-1885

August 20, 2015

File Ref: SCH #2015072043

Janet Postlewait, Transportation Division
 El Dorado County Community Development Agency
 2850 Fairlane Court
 Placerville, CA 95667

RECEIVED

AUG 20 2015

STATE CLEARING HOUSE

Subject: Mitigated Negative Declaration (MND) for, Bucks Bar Road at North Fork Cosumnes River Bridge Replacement Project

Dear Ms. Postlewait:

The California State Lands Commission (CSLC) staff has reviewed the subject MND for the Bucks Bar Road at North Fork Cosumnes River Bridge Replacement Project (Project), which is being prepared by the Transportation Division of the El Dorado County Community Development Agency (EDCCDA). The EDCCDA, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency for projects that could directly or indirectly affect sovereign lands and their accompanying Public Trust resources or uses.

CSLC Jurisdiction and Public Trust Lands

After review of the information contained in the MND, CSLC staff has determined that the bed of the North Fork Cosumnes River at the Project location, may include State-owned sovereign land; however, the extent of the State's sovereign interest, at the project location, has not been determined. Therefore, a lease from the CSLC will not be required for the Project. A lease may be required at such time in the future that the exact extent of the State's fee ownership is determined.

Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (Article 10, Section 4), a condition of statehood in the Act of Admission (Vol. 9, Statutes at Large, page 452), and a responsibility of State agencies pursuant to the Public Trust Doctrine. In this case, the Legislature has provided a process to be followed for promoting access at bridge sites in the California Streets and Highways Code (see § 991). During the design hearing process and prior to CSLC consideration of approval of a bridge project, EDCCDA is required to prepare a report on the feasibility of providing public access to the waterway for recreational purposes, and determine if such public access will be provided.

Please also be advised that the subject waterway involved in the Project area, even if it is not subject to CSLC leasing jurisdiction, is subject to a public navigational easement. This easement provides that the public has the right to navigate and exercise the incidences of navigation in a lawful manner on State waters that are capable of being physically navigated by oar or motor-propelled small craft. Such uses may include, but are not limited to, rafting, rowing, fishing, fowling, bathing, and other water-related public uses (*People ex rel. Baker v. Mack (1971)*). In addition to compliance with California Streets and Highways Code section 991, Project activities must not restrict or impede the navigation and recreational rights of the public.

These comments are made without prejudice to any future assertion of State ownership or public rights, should circumstances change, or should additional information become available. These comments are not intended, nor should they be construed as a waiver or limitation of any right, title, or interest of the State of California in any lands under its jurisdiction.

Project Description

The EDCCDA proposes to replace the existing Bucks Bar Road Bridge over the North Fork Cosumnes River. The EDCCDA has determined that the existing bridge requires replacement, and the Project meets the EDCCDA's objectives and needs as follows:

- The existing bridge, constructed in 1940, is one-lane and requires south- and north- bound traffic to stop for oncoming vehicles until the bridge is clear to proceed. The proposed bridge would be two-lane to improve traffic flow.
- The existing bridge railings, transitions, approach rails, and approach guardrails do not meet current standards, and therefore require replacement.
- The existing bridge is within the 100-year floodplain of the river and requires a higher elevation.
- The 2012 Average Daily Traffic document indicates that vehicles-per-day for the bridge is forecast to nearly double by 2032. Therefore, the Project is required to accommodate this volume.

The Project includes construction of a new bridge just upstream from the existing bridge, and removal of the existing bridge as illustrated on Figures 3 and 4 of the MND. From the Project description, CSLC staff understands the Project would include the following components:

- The proposed replacement bridge will be an approximately 210-foot-long, cast-in-place, pre-stressed box girder bridge.
- The superstructure would be supported on seat type abutments.
- The north abutment would be a cantilever abutment founded on a spread footing embedded into the underlying rock.
- The south abutment would be a seat type abutment founded on two large diameter Cast in Drilled Hole (CIDH) piles with rock sockets.
- Potential diversion of the river through a pipe through the construction zone during new bridge construction, designed for seasonal summer high flows and fish passage. This would also require temporary dewatering of the river channel.

The existing and proposed bridge support structures appear to be within the natural banks of the river channel as represented with Figure 3 and Figure 4. The offset alignment allows the bridge to remain open during construction, satisfying one of the major public concerns identified during community outreach. The road will remain open during construction, except for minor delays to traffic during the installation of the shoring and during construction of the roadway conforms. The existing bridge would be removed following completion of construction of the new bridge.

Environmental Review

CSLC staff requests that the EDCCDA consider the following comments on the Project's MND.

Biological Resources

1. Invasive Species: One of the major stressors in California waterways is introduced species. Therefore, the MND should consider the Project's potential to encourage the establishment or proliferation of non-native aquatic invasive species (AIS), such as fish, snails, clams, and aquatic and terrestrial plants. These types of AIS can be transported to the Project area via construction equipment that has been in contact with other infested waterways. AIS can be transported and introduced via construction equipment that has not been cleaned, drained, and dried. If the analysis in the MND finds potentially significant AIS impacts, possible mitigation could include ensuring that all construction equipment is cleaned, drained, and dried prior to contact with the Project area waterway and following completion of construction activities. The California Department of Fish and Wildlife's (CDFW) Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at www.dfg.ca.gov/invasives/).

In addition, in order to protect at-risk fish species, the MND should examine if any elements of the Project (e.g., vegetation removal, sediment removal, etc.) would favor non-native species within the Project area waterways.

Recreation

2. Public Access: The MND should include further analysis of the potential for the Project to affect recreational uses and public access to the subject waterway. The MND should discuss the recreational uses and access points in the Project vicinity, whether and to what extent these uses would be facilitated or disrupted by the Project, and what, if any measures could be implemented to reduce any potential negative impacts. This discussion should also identify any safety measures EDCCDA will put in place to ensure public safety for recreational activities. Measures could include a public notice and Project area signage provided in advance of the Project, notifying the public of any disruptions or creation of alternate access points or use areas.

Pursuant to California Streets and Highways Code section 991, during the design hearing process, full consideration of, and a report on, the feasibility of providing

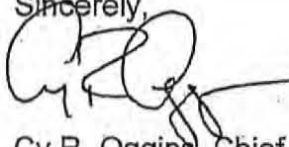
public access to the subject waterway is required to be provided. The report should consider the following:

- An assessment of public access needs at the Project location, in addition to a benefit analysis of public access alternatives, not alternatives to access;
- A description of existing public access points and facilities in the Project vicinity, including the existing condition of these resources and entity responsible for maintenance;
- An assessment of existing constraints and hazards that could make on-site public access infeasible;
- A feasibility assessment of proposed on-site public access infrastructure, such as construction of trails, stairs, parking areas, trash cans, restrooms, etc.;
- A feasibility assessment of alternatives, if on-site public access is infeasible, such as improving existing public access in the Project vicinity, or creating new public access points that could provide a means to access the subject waterway within the project vicinity;
- Environmental impacts of providing public access; and
- A conclusion on the feasibility of providing public access.

If the report determines that public access is feasible, the MND must reflect how public access improvements will be incorporated into the Project and identify any associated environmental impacts. Planning for preparation of the report should occur during the earliest stages of Project planning, and the report should be used to support the environmental impact analysis of the MND.

Thank you for the opportunity to comment on the MND for the Project. Please send copies of future Project-related documents, including electronic copies of the Final MND, Mitigation Monitoring and Reporting Program, and Notice of Determination when they become available, and refer questions concerning environmental review to Jason Ramos, Senior Environmental Scientist, at (916) 574-1814 or via e-mail at jason.ramos@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Marlene Schroeder, Public Land Management Specialist, at (916) 574-2320, or via e-mail at marlene.schroeder@slc.ca.gov.

Sincerely,



Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
J. Ramos, CSLC
M. Schroeder, CSLC
W. Crunk, CSLC

Response 4: State Clearinghouse (SCH)

This letter transmits to the MSD comment letters the State Clearinghouse received. No response is necessary.

Comment Letter 5: U.S. Army Corps of Engineers, Sacramento District (Corps)



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

August 4, 2015

Regulatory Division SPK-2015-00670

Attn: Ms. Janet Postlewait
El Dorado County, Department of Transportation
2850 Fairlane Court
Placerville, California 95667

Dear Ms. Postlewait:

We are responding to your July 23, 2015 request for comments on the Buck's Bar Road project. The DOA project identification number is SPK-2015-00670. The project is located on the North Fork Cosumnes River, in Section 7, Township 9 North, Range 12 East, Mount Diablo Meridian, Latitude 38.65362°, Longitude -120.70139°, Somerset, El Dorado County, California.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, vernal pools, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

1 To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

2 The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

Please refer to identification number SPK-2015-00670 in any correspondence concerning this project. If you have any questions, please contact Ms. Nicole Vogt at California North Branch Office, Regulatory Division, Sacramento District, U.S. Army Corps of Engineers, 1325 J Street, Room 1350, Sacramento, California 95814-2922, by email at Nicole.M.Vogt@usace.army.mil or telephone at 916-557-7889. For more information regarding our program, please visit our website at www.spk.usace.army.mil/Missions/Regulatory.aspx.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ha", with a stylized flourish at the end.

Peck Ha
Regulatory Project Manager
California North Branch
Regulatory Division

Response 5: U.S. Army Corps of Engineers, Sacramento District (Corps)

Response to Corps Comment 1

A wetland delineation was prepared to identify potential jurisdictional features regulated under Section 404 of the Clean Water Act. Potential wetlands and waters in the Project area are evaluated in the Project NES Addendum which is referenced in the Environmental Setting of Section 4.2.4 of the IS. The delineation report will be submitted to the Corps for verification during the permit application process.

Response to Corps Comment 2

The Project has been designed to minimize impacts to potential waters of the U.S. including wetlands as defined by Section 404 of the Clean Water Act including the North Fork Cosumnes River, a wetland, and two ephemeral drainages. The Project will result in a temporary disturbance of approximately 0.444 acres of North Fork Cosumnes River. The Project will not have permanent impacts to North Fork Cosumnes River.

The proposed bridge does not require any permanent supports below the ordinary high water mark of the North Fork Cosumnes River. The majority of construction would occur during the dry season when the water surface within the North Fork of the Cosumnes River is at its seasonal minimum. Work within the river corridor would include the installation of temporary falsework, as well as construction of a temporary crossing for construction access. The temporary crossing may include piped and open or covered channel diversions. A temporary access road would be constructed from the south bank of the river down to the temporary crossing. It is anticipated that most of the construction activity would access the site from the south minimizing the impact to the property owner north of the river.

Falsework would be required to support the forms for the concrete bridge construction and would be designed to span the river. It is anticipated that the falsework would be founded on spread footings. The County will prepare a low water hydraulic assessment during final design to evaluate the clearance required for the falsework. The Project may require the placement of rock slope protection (RSP) at the new bridge abutments.

The temporary access road will cross over the wetland and the ephemeral drainages. All temporary impacts to wetlands and waters of the U.S. and adjacent upland areas within 25 feet of waters of the U.S. will be restored to their original contour and condition within 30 days of completion of construction activities.

During construction, water quality will be protected by implementation of best management practices (BMPs) consistent with the most current Caltrans Stormwater Quality Handbooks to minimize the potential for siltation and downstream sedimentation of North Fork Cosumnes River.

Comment Letter 6: David Wright and Susan Jones (Wright-Jones)



Janet Postlewait <janet.postlewait@edcgov.us>

Comments on Proposed Mitigated Negative Declaration on Bucks Bar Bridge Project (CIP #77116)

1 message

Dave Wright <daveofdavesue@yahoo.com>

Wed, Aug 19, 2015 at 10:19 PM

Reply-To: Dave Wright <daveofdavesue@yahoo.com>

To: Janet.Postlewait@edcgov.us

Cc: Kyle Lassner <kyle.lassner@edcgov.us>, John Kahling <john.kahling@edcgov.us>

Comments on Proposed Mitigated Negative Declaration on Bucks Bar Bridge Project (CIP #77116)

Dear Ms. Postlewait and the Board of Supervisors,

We are the owners of a property that would be severely impacted by the proposed bridge project, APN 093-131-34-100, lots 14 and 15, north of the river and upstream of the bridge.

We do appreciate the County's efforts to date to reduce impacts to our property and to environmentally sensitive areas within and around the project.

Nevertheless there still remain significant questions and gaps in the environmental analysis underlying the proposed "Neg Dec". We respectfully request that the County consider and thoroughly address the points below.

1. The removal of the old bridge is not analyzed in the July 2015 Initial Study of the project. This is a large and complex portion of the project and it must not be treated piecemeal to the project as a whole. That the old bridge removal will have impacts, potentially both positive and negative, to the project environs is plain, such as dust creation, noise, pollution, traffic impacts, removal of a hydraulic obstruction, removal of a potential attractive nuisance, and creation of an uneconomic remnant of land on the west side of the road whose use and disposition is unclear. The lack of analysis of the removal of the old bridge is a gaping, puzzling hole in the Initial Study that we request be remedied.
2. We are very concerned about the noise consequences of the project, yet the Initial Study lacks anything approaching a scientific analysis of noise impacts. Despite the very good sound insulation of our house, morning traffic routinely wakes us and our guests at the present level of noise. Traffic noise on our deck currently can inhibit conversation when a loud vehicle passes. The project will increase traffic speed from roughly 0 to 30 mph to 30 to 50 mph, and vehicle speed markedly increases noise: both motor and tire noise. We feel a rigorous noise analysis by a qualified expert is a must, and we request that the project include noise mitigation measures including a sound wall to reduce noise impacts in our house and on our deck.
3. The project has potential to impair our ability to safely turn in to our property from the busy (and soon to be higher speed) road, stop, and open our gate. We request that the project include provisions to ensure that a paved area reasonably level and comfortably

large enough for us to pull safely off the road facing our gate exists after the project is complete – comparable to the safe access we have now. We understand that this may entail some slight movement of the position of the gate and even perhaps reconfiguring of our driveway. This must be the County's responsibility, in consultation with us.

4. Any damage to our fencing, gate, or other areas of our property need to be fixed and/or replaced. We expect to be consulted about the boundary fence along the road and whether some portion of it will be replaced in some way once final plans are prepared. We would expect to be able to maintain our property to minimize uninvited access to the extent that is accomplished now with the chain link fence to the edge of the bridge.

5. Any damage to our driveway and other areas where vehicles and equipment are moved or placed will need to be fixed so that we can use our driveway with a passenger sedan, and other parts of our property with a standard pickup truck as we do now.

6. Any change in the direction and configuration of our driveway caused by heavy equipment using it, or the new road alignment, needs to not direct water towards our house, and needs to not increase the present slope of the driveway.

7. The project must commit to not impacting our well, the electricity to our well, or the quality or quantity of water the well produces.

8. We request that all trees greater than 6 inches diameter-at-breast-height that are destroyed or damaged by the project be replaced, with accommodation for post-planting mortality, not solely the oaks. Trees planted should be of locally appropriate native species.

9. We request that the county limit the portion of our property that is used by equipment or materials for the project with fencing, and that the minimal number of trucks or machines be onsite at any one time. We ask the County to work with us to reduce the area of "temporary impact" on our property to an absolute minimum, which does not appear to have yet been achieved in the Initial Study. The County should also propose measures that will minimize the severity of the temporary impacts. The soil of much of our property is loose and sandy, and vulnerable to churning and damage to tree roots, especially when wet. Use of mats or other temporary surfaces may be needed.

10. We request that the County restore screening vegetation impacted by the project that softens our view of the road (or of a sound wall). This should be of native shrubs with low flammability.

11. We request that the underside of the new bridge be designed to encourage swallow nesting, so that when the old bridge is removed the swallows will have equal or greater nesting habitat in that location. Caltrans headquarters can assist with this aspect of the bridge design. Swallows are an important part of the ecosystem, in part because they eat lots of insects.

12. We request that we be consulted about the work hours expected to be needed for each phase of the project, since trucks and heavy equipment will be driving around our house on our property to start and end each work day.

13. We request that no private vehicles be parked on our property by construction workers or other visitors to the work site. We have not agreed to have our property be a staging area for any materials or equipment or vehicles not needed that day as part of the work.

We sincerely thank you for continuing to work to address our questions and concerns.

(Signed)

David Wright and Susan Jones
5611 Bucks Bar Road, Placerville

Response 6: David Wright and Susan Jones Itr

Response to Wright-Jones Comment 1

Section 3.3 identifies a number of rules, regulations, and ordinances, in addition to construction-related mitigation measures, which the contractor will be responsible for complying with during construction. Since the removal of the existing bridge is part of the project, the removal subject to the all applicable environmental and legal requirements. The County will acquire right-of-way and will retain the existing right-of-way. Therefore, no remnant or sliver parcels will be created.

Response to Wright-Jones Comment 2

A noise technical memo was prepared for the Project and approved by Caltrans on 10 June 2011 and is incorporated by reference here. The project is not a Type 1 project as defined in 23 CFR 772.5(h); “construction on new location or the physical alteration of an existing highway, which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes.” The new road alignment will be shifted slightly to the east and upstream, resulting in the removal of the cabin. The three nearest remaining residences within approximately 500 ft of the proposed new bridge are:

- The Wright-Jones home is located approximately 135 ft north of the proposed project improvements, specifically where the new realigned road approach would veer away from the existing alignment.
- The structure on APN 093-131-07 located approximately 400 ft northwest of the new bridge.
- The structure on APN 093-131-13 located approximately 200 ft southeast of the new bridge.

The proposed Project alignment shifts the road noise sources slightly further away from the structures on APN 093-131-07 and 093-131-13. This results in a minor decrease in operational. The Wright-Jones home is the only other sensitive receptors in the immediate vicinity of the new bridge alignment.

The approximate existing noise level at the Wright-Jones home was estimated based on the following assumptions using the online “Calculation of ROAD Traffic Noise” (<http://rigolett.home.xs4all.nl/ENGELS/vlgcalc.htm#surface>):

- The shortest horizontal distance from the Wright-Jones home to the approximate center of Bucks Bar Road is 90 ft.
- The estimate takes into account the effect of the yield control at the bridge, which functions like an intersection because it requires southbound traffic to come to a complete stop and yield to northbound traffic on the bridge. Yield control at the bridge is located approximately 315 ft southeast of the Wright-Jones home. The existing bridge is approximately 370 ft from the home.
- The 2012 Average Daily Traffic (ADT) at the bridge is approximately 4,500 vehicles per day (Caltrans 2013) or approximately 300 vehicles per hour.
- Bucks Bar Road is off-system an east-west, two-lane, rural major collector (Caltrans 2014). The assumed vehicle is mix based the ‘National Average Truck Percentages by Functional Classification of Roadway’ (Washington State Transportation Center 1997). The assumed vehicle is mix includes 92.7% passenger cars, 4.8% buses and 2 axle-6 tire trucks, 2.5% combination trucks, and 0.1% multi-trailer trucks.
- The Wright-Jones home is approximately to the approximate 18 ft lower in elevation than Bucks Bar Road.

Based on the assumptions above the estimated existing noise level at the Wright-Jones home is approximately 63 dB. If the yield control (intersection) is removed from the estimated noise level at the Wright-Jones home is approximately 62 dB. The removal of the yield control would provide a minor reduction in post construction noise levels.

El Dorado County’s General Plan DEIR Table 5.10-3 provides a summary of traffic noise for the base year of 2001. The modeled 60 dBA L_{dn}/CNEL contour for Bucks Bar Road between Mt. Aukum and Cattle Creek Lane is 97.1 ft from the centerline of the near-travel lane. The same table reports that 50 ft from the roadway centerline, the L_{dn}/CNEL (dBA) is 63.61 (El Dorado County 2004a). These modeled noise measurements and distances are consistent with the 63 dB calculated using the online “Calculation of ROAD Traffic Noise” application (<http://rigolett.home.xs4all.nl/ENGELS/vlcalc.htm#surface>).

No alignment changes would be made to the portion of Bucks Bar Road north of or adjacent to the Wright-Jones home. The new realigned road approach begins to shift away from the existing Bucks Bar Road alignment approximately 135 ft south of the Wright-Jones home. Table 1 below compares the distance from the southernmost corner of the Wright-Jones home to locations along the existing and new alignments.

Table 1. Approximate Distances from Wright-Jones Home

Station	Existing (ft)	Proposed (ft)	Difference (ft)	Location
10+50	--	--	--	North conform
10+75	90	--	--	Closest to home
12+00	135	135	0	Existing/Proposed Centerline match
13+00	218	213	5	
14+00	315	303	12	North abutment
15+00	417	394	23	Middle of bridge
16+00	519	487	32	South abutment
17+00	591	580	11	
18+00	673	673	0	Existing/Proposed Centerline match
19+00	673	673	0	
19+75	673	673	0	South conform

The proposed road alignment does shift the road closer to the Wright-Jones home. Starting approximately 218 ft south of the home, the road centerline is approximately 5 ft closer to the home which results in an approximate increase of 0.2 dB over the existing alignment. The maximum change brings the road approximately 32 ft closer to the home. This point at STA 16+00 of the new alignment is approximately 487 ft from the Wright-Jones home on the south side of the river. The new alignment at STA 16+00 would result in an approximate increase of 0.71 dB over the existing alignment. The change in dB was calculated using the *Distance-Related Decrease of Sound Level* application from <http://www.sengpielaudio.com/calculator-SoundAndDistance.htm>.

General Plan Policy 6.5.1.12 includes significance criteria to be used “When determining the significance of impacts and appropriate mitigation for new development projects...” (El Dorado County 2004). The relevant significance criteria for the proposed Project is:

“Where existing or projected future traffic noise levels range between 60 and 65 dBA L_{dn} at the outdoor activity areas of residential uses, an increase of more than 3 dBA L_{dn} caused by a new transportation noise source will be considered significant;”

No alignment changes would be made to the portion of Bucks Bar Road north of or adjacent to the Wright-Jones home. Given this fact the future noise level at the Wright-Jones home would not increase following completion of the Project. Based on the analysis above the proposed Projects permanent noise impact would not be considered significant because there is not an increase of more than 3 or more dBA.

References

El Dorado County. January 2004, Certified 19 July 2004. El Dorado County general plan, final environmental impact report (EIR). Resolution No. 234-2004, State Clearinghouse No. 2001082030. Prepared by EDAW.

Sengpielaudio.com. Accessed 16 September 2015. Sound Intensity I in the Distance r calculator. <http://www.sengpielaudio.com/calculator-SoundAndDistance.htm>

Calculation of ROAD Traffic Noise. Accessed 16 September 2015. Calculation of ROAD traffic noise application. <http://rigolett.home.xs4all.nl/ENGELS/vlgcalc.htm#surface>.

Response to Wright-Jones Comments 3, 4, 5, 6

As stated in section 3.2.4 of the IS Project Description “The roadway conforms will be located away from existing driveways in order to minimize impacts to property owners. Access to residences at the project site will be maintained throughout Project construction.” The County has been and is committed to continue coordination with affected property owners to deliver a Project design and implementation strategy that provides:

- Safe property access, comparable to the existing;
- Addresses the need to place, move or replace access infrastructure (gates, fences, etc.);
- Includes design provisions to restore disturbed portions of private property;
- Proper slopes and drainage adjacent to private residences.

Response to Wright-Jones Comment 7

The County is committed to not affecting existing wells, the power to the wells, or the quality or quantity of the water.

Response to Wright-Jones Comment 8

Mitigation Measure BIO-6 includes provisions for the replacement of native upland and riparian tree species, whether or not the trees are oaks, removed by the proposed Project.

“Measure BIO-6

- *Tree removal will be minimized to the maximum extent possible. The limits of construction will be marked with temporary fencing. 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.*

- *Disturbed areas in the Project area will be seeded with native herbaceous plant species.*
- *Native riparian trees removed that are over 4 inches dbh will be replaced at a ratio agreed to by the County and CFDW, but not less than 2:1.*
- *Native upland trees removed from County owned right of way that are over 4 inches dbh will be replaced at a ratio of 1:1 where feasible within the limits of the Project area.*
- *Native upland trees removed from Temporary Construction Easements (TCEs) on private parcels will be replaced at a ratio of 1: 1 in consultation with the property owner.”*

Response to Wright-Jones Comment 9

The County is committed to continue coordination efforts with the land owner to reduce temporary impacts to private property. These efforts will continue as the County negotiates the permanent right-of-way acquisition and the temporary construction easement.

Response to Wright-Jones Comment 10

The County will restore the screening vegetation affected by the project. Mitigation Measure BIO-6 focuses on native tree and herbaceous vegetation replacement. The last bullet of BIO-6 will be modified to include native shrubs as follows:

- *Native upland trees removed from Temporary Construction Easements (TCEs) on private parcels will be replaced at a ratio of 1: 1 in consultation with the property owner.” Native shrubs may be substituted for native upland trees.*

Response to Wright-Jones Comment 11

The box girder design of the new bridge does not discourage swallow nesting.

Response to Wright-Jones Comment 12

The County will provide appropriate schedule notification to the Property owner regarding anticipated work hours etc.

Response to Wright-Jones Comment 13

See Response to Comment 9.

Comment Letter 7: Mel Chapman



Janet Postlewait <janet.postlewait@edcgov.us>

Bucks Bar Bridge

1 message

Mel Chapman <chapmanfrancais@yahoo.com>

Fri, Jul 24, 2015 at 9:28 AM

Reply-To: Mel Chapman <chapmanfrancais@yahoo.com>

To: "janet.postlewait@edcgov.us" <janet.postlewait@edcgov.us>

Please re-read your letter concerning the Bucks Bar bridge announcing the construction work and asking for comments. First, the language stating "Mitigated Negative Declaration" is not clear English. I think I understand it, but it barely communicates even to a well-educated person. Second, it doesn't mention what will be done. Another lane? Better guard rails? This would have been a basic thing to include. The cost of generating the letter and mailing it had to be fairly high. The message could have been much clearer. Few people could have serious complaints about improving the bridge [which we rarely use] but all would want to know in a simple way what is planned.

Thank you, Mel Chapman

Response 7: Mel Chapman

Response to Chapman Comment 1

El Dorado County is committed to providing the public opportunities to review and comment on public projects. The County followed State law which requires the County to publish the Notice of Intent to Adopt a Mitigated Negative Declaration. A Mitigated Negative Declaration is a specific document prepared in accordance with the California Environmental Quality Act (CEQA). The Notice of Intent along with a Notice of Availability, published on July 22, 2015 in the Mountain Democrat, note that the complete environmental document with a detailed project description is available to be reviewed at the County Transportation offices or on the Transportation website.

Comment Letter 8: Mark Almer



Janet Postlewait <janet.postlewait@edcgov.us>

Buck Bar Bridge Replacement

1 message

Mark Almer <susanandmarkalmer@gmail.com>

Thu, Jul 23, 2015 at 4:38 PM

To: janet.postlewait@edcgov.us

Hi Janet,

I received the NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION in today's mail. Thank you.

I am **in total support of this project** and look forward to having a new bridge to drive on as soon as possible.

Also, the letter came to me with my last name misspelled on the envelope – if you can please change. It should be spelled **ALMER** (not Almen). Please keep me posted on any future public meetings that may be scheduled.

Thank you,

Mark Almer

530-622-3774

susanandmarkalmer@gmail.com

Response 8: Mark Almer

Response to Almer Comment 1

The commenter's email expresses support for the project. The County has corrected the mailing list to reflect the correct spelling of "Almer". No further response is necessary.