

**ERRATA SHEET FOR THE
Initial Study/ Mitigated Negative Declaration for the
Meyers Stream Environment Zone/ Erosion Control Project
(CIP No. 95179)**

CEQA REQUIREMENTS

State CEQA Guidelines §15073.5(a) requires that a lead agency recirculate a negative declaration “when the document must be substantially revised.” A “substantial revision” includes: (1) identification of a new, avoidable significant effect requiring mitigation measures or project revisions and/or (2) determination that proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. Recirculation is not required when new information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

In response to the concerns set forth by the California Department of Fish and Wildlife, the following minor text changes are made to the Initial Study and incorporated as part of the Initial Study/ Mitigated Negative Declaration.

None of these changes substantially modify the analysis or conclusions of the document, but instead simply clarify aspects of the previously circulated document.

Changes to the text are noted with underline (for added text) or ~~strikeout~~ type (for deleted text).

IV. BIOLOGICAL RESOURCES

Item IV-A Discussion: *A Wildlife Biological Assessment and Biological Evaluation (BABE) was performed for the proposed Project. The biological assessment surveys observed no federal or state-listed candidate, or proposed wildlife species in the Project study area. There are no designated sensitive habitats or areas for limited operations for wildlife within the Project area. Suitable habitat conditions do exist within 0.5 miles of the Project area for willow flycatcher, northern goshawk, waterfowl, Sierra Nevada mountain beaver (formerly mountain beaver), mule deer, osprey, Sierra Nevada yellow-legged frog, American badger, and Sierra Nevada snowshoe hare; however, there are only three detections for one special status species at the edge of the project buffer (northern goshawk). The primary purpose of the field survey was to identify and determine the occurrence of, or the suitability of, habitat for special status wildlife species within the Project site. Furthermore, no impacts to sensitive or Management Indicator Species (MIS) are expected. There could be disturbance type effects to migratory bird species during implementation. Because construction activities would occur after the conclusion of the nesting period (generally February to August), impacts to nesting habitats are not anticipated. However, this project should improve habitat in the long-term by improving meadow wetness.*

A *Botanical Biological Assessment and Biological Evaluation (BABE)* was also performed for the proposed Project. The biological assessment surveys observed no federal or state-listed candidate, or proposed botanical species in the Project study area. However, six recorded occurrence and/or USFS modeled habitat for special status species are located within the 0.5 miles of the Project area: four species have USFS modeled habitat within the Project boundary but were not observed (*Botrychium sp.*, *Lewisia kelloggii ssp. hutchisonii*, and *kelloggii*, and *Peltigera hydrothyria*), one species that was also not observed but does have USFS modeled habitat within the 0.5 miles of the Project area (*Arabis rectissima var. simulans*), and one historical species occurrences within the 0.5 miles of the Project area (*Carex limosa*).

A *Noxious Weed Risk Assessment (NWRA)* was performed for the proposed Project. The surveys indicated that a noxious weed species were known to exist within the Project area. These species includes oxeye daisy (*Chrysanthemum leucanthemum*) and cheatgrass (*Bromus tectorum*). The locations of the noxious weeds are documented in the NWRA.

With the implementation of the mitigation measures outlined below in *Item IV-A Mitigation Measures*, the proposed Project will not 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 & Wildlife (CDFW) or U.S. Fish & Wildlife Service (USFWS); therefore, the proposed Project will have a less than significant impact.

Item IV-A Mitigation Measures

Mitigation Measure B-1: Construction activities would occur outside of the limited operating period (LOP) (generally February to August). Prior to construction, Transportation will confirm if any new special status species have been identified by the United States Forest Service – Lake Tahoe Basin Management Unit (USFS-LTBMU) or the CDFW (via the California Natural Diversity Database - CNDDDB) within, or immediately adjacent to, the Project area. If new activity or occurrences have been identified, appropriate ~~limited operating periods (LOP)~~ will be observed.

Because the number of trees to be removed is small and there are an abundant of trees in the project vicinity, the loss of potential nest trees would not be significant impact. Additionally, the main concentration of trees to be removed are typically eight (8) to ten (10) inches in diameter at breast height (dbh).

Mitigation Measure B-3: Transportation will implement and require the contractor to adhere to a Noxious Weed Mitigation Plan (Plan) to decrease habitat vulnerability to or below pre-construction levels. The Plan includes pre-construction elements such as treatment methodologies for existing noxious weed populations identified in the Project

area, as well as operating procedures for both during and post-construction. All temporarily disturbed areas will be returned to pre-project conditions upon completion of construction and will be re-vegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. These areas will be properly protected from washout and erosion using appropriate erosion control devices, including coir netting, hydroseeding, and revegetation. In sloped areas, additional erosion control measures will be applied, including erosion control blankets and biodegradable fiber rolls. Recommended BMPs will include, but are not limited to: hand removal of existing weeds prior to going to seed, equipment cleaning prior to use, area of disturbance minimization, disturbed ground stabilization upon completion of construction with mulch or other means, certified weed-free mulch and other materials, and disturbed areas revegetation with native plants.

Mitigation Measure B-5: The proposed Project was designed around the findings of the wetland delineation report to avoid or minimize impacts to wetlands and/or other Waters of the United States (WOUS). Jurisdictional waters and wetlands are present within the Project area. ~~Therefore, Transportation does anticipate the need to obtain a 404 Permit and a 401 Water Quality Certification which will be prepared and submitted based on the final Project design and its potential to discharge to surface waters.~~ Proposed improvements could affect approximately 0.54 acre (780 linear feet) of ephemeral drainages, resulting in the permanent discharge of fill material into this feature. Transportation will comply with the terms of a Clean Water Act Section 404 permit issued by the U.S. Army Corps of Engineers (Corps) and Section 401 water quality certification issued by the Regional Water Quality Control Board (RWQCB) for activities involving the discharge of fill material into Meyers Creek. For activities in and along Meyers Creek, Transportation will also comply with terms of a Streambed Alteration Agreement, including mitigation regarding replanting, with the CDFW (if determined necessary by the CDFW). The actual project impacts will be calculated once final designs are available and during the permit application process. Prior to any discharge of dredged or fill material into Meyers Creek, the required permits and authorizations will be obtained from the respective agencies. All WOUS temporarily affected by project construction will be restored as close as practicable to their original conditions. All terms and conditions of the required permits and authorizations will be implemented. Transportation will also obtain a TRPA EIP Project Permit and will implement the required mitigation measures.