RESPONSES TO THE COMMENTS FOR THE

Initial Study / Mitigated Negative Declaration for the

El Dorado Trail Extension – Missouri Flat Road to the Town of El Dorado and Missouri Flat Road Bike/Pedestrian Overcrossing Project

(CIP #'s 97014 and 97015)

Although not required under CEQA, the County is providing responses to comments made on the IS/MND during the public review period. No additional information, impacts, or mitigation measures are necessary as a result of these comments. Copies of the comment letters and responses are presented below.

Responses to Comments

The following letters were received during the public review period:

- Letter 1: Central Valley Regional Water Quality Control Board, 10/26/2017
- Letter 2: Sacramento Placerville Transp. Corridor Joint Planning Authority, 10/17/2017
- Letter 3: El Dorado County Historical Museum, 11/03/2017
- Letter 4: Ed Frost, 10/03/2017
- Letter 5: Edward and Pamela Farkas, 11/01/2017

Letter 1: Central Valley Regional Water Quality Control Board

General regulatory guidance letter. No response necessary.

Letter 2: Sacramento Placerville Transportation Corridor-Joint Powers Authority (SPTC-JPA)

Responses to comments are numbered below and on the letter.

- 2-1 Comment noted. The County acknowledges the SPTC-JPA has authorized two organizations to operate on sections of the SPTC-JPA, including the El Dorado Western Railroad which currently operates on the proposed project trail segment between Shingle Springs and Missouri Flat Road.
- 2-2 The proposed Projects will be designed consistent with relevant California Public Utilities Commission (CPUC) regulations.

Letter 3: El Dorado County Historical Museum

Responses to comments are numbered below and are on the letter.

- 3-1 Comment noted.
- 3-2 Comment noted. The IS/MND documents the identification, recordation, and evaluation efforts for historical archaeological resources and built resources within the Project sites. Transportation will comply with the mitigation measures identified in the IS/MND Mitigation and Monitoring Plan. The existing railroad tracks will remain in place and project design and construction will comply with CUPC regulations.

El Dorado Trail Extension (CIP # 97014) and Bike and Pedestrian Overcrossing (CIP # 97015) 3-3 Transportation acknowledges the Historical Museum's commitment to the preservation of this section of the track, and supports the development of the paved and natural trail within the SPTC-JPA.

Letter 4: Ed Frost

Responses to comments are numbered below and are on the letter.

4-1 The El Dorado County Parks and Trails Division is currently working on a plan for a natural trail to exist within the SPTC-JPA in addition to the proposed Projects.

Letter 5: Edward and Pamela Farkas

Responses to comments are numbered below and are on the letter.

- In early 2017, the El Dorado County Parks and Trails Division retained the California Conservation Corps to remove selected vegetation within the SPTC-JPA. This work was completed separately from the proposed Projects as part of routine maintenance within the SPTC-JPA for fire prevention and general public safety measures.
- 5-2 The IS/MND has concluded that permanent impacts to visual character resulting from the trail extension are considered less than significant without mitigation. The proposed project design minimizes vegetation removal adjacent to the commenter's parcel. As such, existing screening trees will be maintained as much as possible.
- 5-3 The trees along the paved section of the trail east of Missouri Flat Road were planted by the County as a maintenance enhancement to the SPTC-JPA, and were not required for mitigation purposes.





Central Valley Regional Water Quality Control Board

26 October 2017

Donna Keeler El Dorado County 2850 Fairlane Court Placerville, CA 95667 CERTIFIED MAIL 91 7199 9991 7035 8360 4459

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, EL DORADO TRAIL EXTENSION - MISSOURI FLAT ROAD TO THE TOWN OF EL DORADO AND MISSOURI FLAT ROAD BIKE/PEDESTRIAN OVERCROSSING PROJECT, SCH# 2017102014, EL DORADO COUNTY

Pursuant to the State Clearinghouse's 4 October 2017 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 El Dorado Trail Extension - Missouri Flat Road to the Town of El Dorado and Missouri Flat Road Bike/Pedestrian Overcrossing 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.

I. Regulatory Setting

Basin Plan

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

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER
11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley





El Dorado Trail Extension - Missouri Flat - 2 - Road to the Town of El Dorado and Missouri Flat Road Bike/Pedestrian Overcrossing Project El Dorado County

amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues.

For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water issues/basin plans/.

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Policy is available on page IV-15.01 at: http://www.waterboards.ca.gov/centralvalleywater_issues/basin_plans/sacsjr.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction 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

El Dorado Trail Extension - Missouri Flat - 3 - Road to the Town of El Dorado and Missouri Flat Road Bike/Pedestrian Overcrossing Project El Dorado County

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 Caltrans Phase I MS4 Permit, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water issues/programs/stormwater/caltrans.shtml.

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.sht ml

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.

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.

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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.

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 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance (i.e., discharge of dredge or fill material) 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 (WDRs)

Discharges to Waters of the State

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 may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation.

Land Disposal of Dredge Material

If the project will involve dredging, Water Quality Certification for the dredging activity and Waste Discharge Requirements for the land disposal may be needed.

Local Agency Oversite

Pursuant to the State Water Board's Onsite Wastewater Treatment Systems Policy (OWTS Policy), the regulation of septic tank and leach field systems may be regulated under the local agency's management program in lieu of WDRs. A county environmental health department may permit septic tank and leach field systems designed for less than 10,000 gpd. For more information on septic system regulations,

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visit the Central Valley Water Board's website at: http://www.waterboards.ca.gov/centralvalley/water_issues/owts/sb_owts_policy.pdf

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.

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Risk General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Risk Waiver) R5-2013-0145. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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

http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

For more information regarding the Low Risk Waiver and the application process, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2013-0145_res.pdf

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:

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_appr oval/index.shtml; or contact water board staff at (916) 464-4611 or via email at IrrLands@waterboards.ca.gov.

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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_ord_

ers/r5-2013-0073.pdf

NPDES Permit

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

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

http://www.waterboards.ca.gov/centralvalley/help/business_help/permit3.shtml

If you have questions regarding these comments, please contact me at (916) 464-4644 or Stephanie. Tadlock@waterboards.ca.gov.

Stephanie Tadlock

Environmental Scientist

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

SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY

Member Agencies: City of Folsom / County of El Dorado / County of Sacramento / Regional Transit

October 17, 2017

Donna Keeler, Principal Planner El Dorado County Department of Transportation 2850 Fairlane Court Placerville, CA 95667

RE: El Dorado Trail Extension – Missouri Flat Road to Town of El Dorado and Missouri Flat Road Bike/Pedestrian Overcrossing Project IS/MND

Dear Ms. Keeler:

Thank you for the opportunity to review and comment on the Initial Study and Mitigated Negative Declaration (IS/MND) for the subject project. The Sacramento-Placerville Transportation Corridor (SPTC) was preserved for the purpose of creating transportation opportunities, and this project is a perfect example of the type of project that enhances the use of the SPTC. I am writing this letter as a representative of the SPTC Joint Powers Authority to both express the JPA's full support for the project, and to provide comments on the IS/MND that will hopefully result in a more successful project that is compatible with other transportation uses within the SPTC.

The SPTC JPA is charged with preserving the rail corridor and developing transportation uses within it. To that end, the JPA has the authority to permit rail uses on the existing railroad tracks within the corridor. Currently, the JPA has authorized two railroad companies to operate on sections of the JPA: the El Dorado Western Railroad, which currently operates between Shingle Springs and Missouri Flat Road, and the Placerville & Sacramento Valley Railroad, which currently operates between Bidwell Street in Folsom and the Sacramento/El Dorado County line (with occasional events into Latrobe).

Both railroad companies are required to operate under the laws and regulations set forth by the California Public Utilities Commission (CPUC), which is the regulatory agency that oversees railroad operations in California, including the SPTC. Therefore it would be advisable that this trail project be designed consistent with relevant CPUC regulations, such as:

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SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY

Member Agencies: City of Folsom / County of El Dorado / County of Sacramento / Regional Transit

- If sufficient width exists, construct the trail outside the railroad operating envelope (typically 10 feet from the centerline of the track)
- Designing all locations where the trail crosses the tracks with appropriate regulatory and warning signs and markings that are consistent with standard at-grade rail crossing standards
- Formally applying to the CPUC for approval of each at-grade crossing (if required)

Again, I appreciate the opportunity to review the IS/MND and hope that these comments help you to deliver a successful project. Should you have any questions regarding this letter, please feel free to contact me by phone at (916) 351-3370 or email at mrackovan@folsom.ca.us.

Regards,

Mark A. Rackovan Chief Executive Officer

17-1246 C 11 of 16



Donna Keeler <donna.keeler@edcgov.us>

El Dorado Trail Extension Project

2 messages

Mary Cory <mary.cory@edcgov.us>

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Fri, Nov 3, 2017 at 11:01 AM

To: Donna Keeler <donna.keeler@edcgov.us>

I received the Notice of Intent to Adopt a Mitigated Negative Declaration for the El Dorado Trail Extension - Missouri Flat Road to the Town of El Dorado and Missour Flat Road Bike/Pedestrian Overcrossing Project.

For the last six years, the County Museum has been holding the railroad program known as the El Dorado Western Railroad on the SPTC tracks. The section of track from the west side of Missouri Flat Road to the east side of Mother Lode Drive in Shingle Springs was designated for use by the County Museum for its excursion railroad program by the Board of Supervisors. Museum Volunteers have been involved with the care, maintenance and improvements to the track, with plans being formulated for a Railroad Maintenance Yard at the eastern end of this track and the Railroad History Center and Park in the historical El Dorado Depot section of the SPTC corridor. We have been working closely with the County Parks and Trail Division on the development of these uses and projects.

The mitigation measures identified in the IS/MND document need to be done to preserve the cultural resources identified in the document. We are adamant that the tracks need to remain in place, and the trail placement comply with standard railroad requirements as this is an active railroad corridor.

As the custodians of the track, the Museum Volunteers and I are committed to the preservation of this very historic section of track, and support the development of 3-3 the paved trail and the natural trail along side the track, so that the corridor will be available to all users.

Mary Cory, Museum Administrator El Dorado County Historical Museum 104 Placerville Dr. Placerville, CA 95667 mary.cory@edcgov.us

Donna Keeler <donna.keeler@edcgov.us>
To: Mary Cory <mary.cory@edcgov.us>

Fri, Nov 3, 2017 at 11:37 AM

Cc: Dustin Harrington dustin Harrington@edcgov.us, Kyrsten Shields kshields@foothill.com

Hi Mary,

Thank you for your email with comments on the El Dorado Trail Extension and Overcrossing Draft IS/MND. Your comments are noted and will be added to the public record.

All my best, Donna

[Quoted text hidden]

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3-1



Donna Keeler <donna.keeler@edcgov.us>

notice of intent

3 messages

Ed Frost <edfrost88@hotmail.com>

To: "donna.keeler@edcgov.us" <donna.keeler@edcgov.us>

Tue, Oct 3, 2017 at 5:53 PM

We received the letter regarding the notice of intent to adopt a mitigated negative declaration for the el dorado trail extension. We were directed to contact you with comments. We do not have a comment at this time rather a question.

We own property on Blanchard Road adjoining the existing trail. Our question is in regards to using the trail for horses.

The letter does not refer to this usage but the existing trail signs refer to horseback usage. Will this usage continue

4-1

after the mitigation

Ed Frost 4560 Blanchard Road Placerville, ca. 95667 edfrost88@hotmail.com

Donna Keeler < donna.keeler@edcgov.us>

Thu, Oct 5, 2017 at 8:27 AM

To: Ed Frost <edfrost88@hotmail.com>

Cc: Vickie Sanders <vickie.sanders@edcgov.us>, Donna Mullens <donna.mullens@edcgov.us>

Bcc: Dustin Harrington <dustin.harrington@edcgov.us>

Hi Ed.

Thank you for your email and I apologize for not getting back to you yesterday. I was out of the office.

The County Parks Department intends to construct/maintain a natural trail adjacent to the proposed Class 1 Trail between Missouri Flat Road and the Town of El Dorado. I'm including Vickie Sanders, who in head of our Parks and Trails Department, in this email to provide more details on the natural trail.

If you have further questions on the Class 1 Trail, please don't hesitate to contact me.

All my best, Donna

[Quoted text hidden]

17-1246 C 13 of 16

Edward and Pamela Farkas 6740 W. Jasmine Dr. Placerville, CA 95667 Parcel #329-181-20-100

November 1, 2017

Donna Keeler Principal Planner El Dorado County Dept of Transportation 2850 Fairlane Court Placerville, CA 95667

RE: El Dorado Trail Extension Missouri Flat to El Dorado

Ms. Keeler:

This letter is in Response to the "Notice of Intent to Adopt a mitigated Negative Declaration" we received regarding the trail extension. After reviewing the document online, our concerns are as follows:

The Army Corp of Engineers started clearing areas along the existing rail line and dirt trail that parallels our property and removed so much vegetation and trees that we lost all the privacy to the front of our home and property. The proposed trail location will be closest to our property line and since people will be using the trail night and day, this will be an invasion to our home and our privacy.

The trail access on Missouri Flat by the Door company was upgraded with a screening of trees and rail fencing as there are several homes along that entrance that lost their privacy. We respectfully request that the same courtesy be shown to us by having some trees planted along our property line to establish some privacy of the view to our front windows.

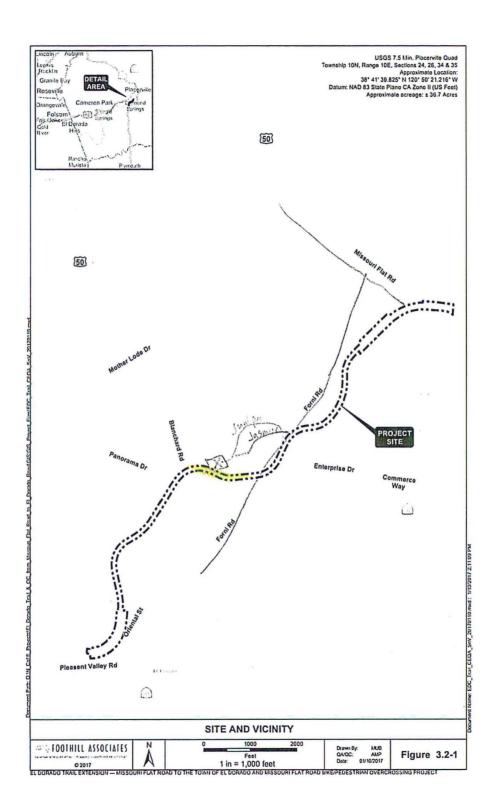
We thank you for your time and consideration and welcome any questions you may have to discuss this issue.

Sincerely,

Edward and Pamela Farkas

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5-2



6740 W. Jasmine DP.

