

SR 20/Kibbe Road Intersection Project

SCH# 2021040495

Final Environmental Impact Report

Prepared for
Yuba County



March 2022

Prepared by



1501 SPORTS DRIVE, SUITE A, SACRAMENTO, CA 95834

SR 20/Kibbe Road Intersection Project Final Environmental Impact Report

SCH# 2021040495

Lead Agency

Yuba County
Community Development and Services Agency
915 8th Street, Suite 123
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(530) 749-5470

Prepared By

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1. Introduction and List of Commenters

1. INTRODUCTION AND LIST OF COMMENTERS

1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains comments received during the public review period of the SR 20/Kibbe Road Intersection Project (proposed project) Draft EIR. This document has been prepared by Yuba County, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction and List of Commenters chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, and provides an overview of the organization of the Final EIR.

1.2 BACKGROUND

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The proposed project Draft EIR includes the following environmental analysis chapters: Air Quality and Greenhouse Gas Emissions; Biological Resources; Cultural and Tribal Cultural Resources; Noise; and Transportation. The remaining environmental issue areas identified by Appendix G of the CEQA Guidelines are addressed in the Initial Study prepared for the proposed project and included in Appendix A of the proposed project Draft EIR.

In accordance with CEQA Guidelines, Yuba County used the following methods to solicit public input on the Draft EIR:

- A Notice of Preparation (NOP) for the Draft EIR was posted on the County website at: https://www.yuba.org/departments/community_development/planning_department/document_library.php#outer-4066 and mailed to local agencies and interested members of the public for a 30-day public review period from April 21, 2021 to May 20, 2021. The NOP comment letters are included as Appendix B to the Draft EIR.
- A public scoping meeting was held in an online Zoom meeting on May 12, 2021 to solicit comments regarding the scope of the Draft EIR.
- On December 3, 2021, the Draft EIR was submitted to the State Clearinghouse for distribution to State and local agencies, resulting in a 55-day public review period from December 3, 2021 to January 26, 2022.
- On December 3, 2021, a Notice of Availability (NOA) of the Draft EIR was posted to the County's website at: https://www.yuba.org/departments/community_development/planning_department/document_library.php#outer-4066 and mailed to local agencies and interested members of the public.
- The Draft EIR was made available for review on the Governor's Office of Planning and Research CEQAnet Web Portal at: <https://ceqanet.opr.ca.gov/2021040495/2> as well as on the County's website at: https://www.yuba.org/departments/community_development/planning_department/document_library.php#outer-4066.
- On January 19, 2022, the Yuba County Planning Commission held a public comment hearing to solicit comments on the Draft EIR.



All public comments received on the Draft EIR are listed in this chapter, and written responses to comments are included in Chapter 2, Response to Comments, as discussed in more detail in Section 1.4 of this chapter.

1.3 PURPOSE OF THE FINAL EIR

Pursuant to CEQA Guidelines Section 15132, this Final EIR consists of the following:

- a) The Draft EIR or a revision of the Draft (document available on the County’s website at: https://www.yuba.org/departments/community_development/planning_department/document_library.php#outer-4066);
- b) Comments received on the Draft EIR (see Chapter 2 of this Final EIR);
- c) Revisions to the Draft EIR (see Chapter 3 of this Final EIR);
- d) A list of persons, organizations, and public agencies commenting on the Draft EIR (see Section 1.4, below); and
- e) Any other information added by the Lead Agency (not applicable).

1.4 LIST OF COMMENTERS

Yuba County received four comment letters during the public comment period on the Draft EIR for the proposed project. The comment letters were authored by the following groups/agencies and residents.

Groups/Agencies

Letter 1 California Department of Transportation
Letter 2 Taylor & Wiley Attorneys
Letter 3 Central Valley Regional Water Quality Control Board

Residents

Letter 4 Ron and Cheryl Epperson

As noted above, Yuba County held a Comment Hearing on January 19, 2022, to receive comments on the Draft EIR. Verbal comments were received by Don Shrader and Iree Douglas. A summary of the verbal comments received is included as Letter 5, and responses to the verbal comments are included in Chapter 2, Responses to Comments, of this Final EIR.

1.5 CERTIFICATION OF THE FINAL EIR

State law requires that the County make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
 1. The Final EIR has been completed in compliance with CEQA.



2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
 3. The Final EIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the County chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6[f]).

Pursuant to CEQA Guidelines Section 15093(b), when a Lead Agency approves a project that would result in significant unavoidable impacts, the agency must state in writing the reasons supporting the action (Statement of Overriding Considerations). The Statement of Overriding Considerations shall be supported by substantial evidence. The proposed project would not result in any significant and unavoidable impacts; thus, a Statement of Overriding Considerations is not required for the project to be approved. The required Findings of Fact will be included as part of the resolution considered by Yuba County.

1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following four chapters.

1. Introduction and List of Commenters

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft EIR and the purposes of the Final EIR, provides a list of commenters, and describes the organization of the Final EIR.

2. Responses to Comments

Chapter 2 presents the comment letters received, and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR text including clarifications, modifications, and amplifications of the analysis. Section 15088.5 of the CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when “significant new information” is added to the document after public notice is given of the availability of the Draft EIR for public review under Section 15087 but before certification. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The modifications to the Draft EIR identified in Chapter 3 have been examined with these requirements and obligations in mind. The County has determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required. A more detailed description of this determination will be included in the CEQA Findings of Fact described above.



4. Mitigation Monitoring and Reporting Program

CEQA Guidelines Section 15097 requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the proposed project.



2. Responses to Comments

2. RESPONSES TO COMMENTS

2.1 INTRODUCTION

The Responses to Comments chapter contains responses to each of the comment letters submitted regarding the SR 20/Kibbe Road Intersection Project (proposed project) Draft EIR during the public review period.

2.2 RESPONSES TO COMMENTS

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft EIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3, Revisions to the Draft EIR Text, of this Final EIR. All new text is shown as double underlined and deleted text is shown as ~~struck through~~.



Letter 1

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

California Department of Transportation

DISTRICT 3
703 B STREET | MARYSVILLE, CA 95901-5556
(530) 741-4233 | FAX (530) 741-4245 TTY 711
www.dot.ca.gov



January 12, 2022

GTS# 03-YUB-2021-00136
03-YUB 20 PM 9.397

Mr. Kevin Perkins
Planning Manager
County of Yuba
915 8th Street, Suite 123
Marysville, CA 95901

Re: SR 20-Kibbe Road Intersection DEIR

Dear Mr. Perkins:

1-1

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. We reviewed this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision, and goals, some of which includes addressing equity, climate change, and safety, as outlined in our statewide plans such as the California Transportation Plan, Caltrans Strategic Plan, and Climate Action Plan for Transportation Infrastructure.

The proposed project would construct a new access road to Teichert Aggregates Hallwood facility mining site, located on Walnut Avenue southeast of SR 20, east of Hallwood Boulevard and east of the Marysville city limit, directly to SR 20 at one of three locations near Kibbe Road in Marysville, Yuba County. The following comments are based the Draft Environmental Impact Report package received.

Forecasting & Modeling

1-2

As with the response from the January 10, 2022 ICE Memorandum letter, please confirm if additional truck trips are anticipated with the average production rate. Also, please provide anticipated daily truck trips and clarify if truck trips are daily or otherwise.

Traffic Operations

1-3

Please discuss queue lengths and provide queue length tables for existing conditions as well as all the various alternatives and the design year for each.

"Provide a safe and reliable transportation network that serves all people and respects the environment"



Mr. Kevin Perkins, Planning Manager
January 12, 2022
Page 2

Right of Way

1-4

Based on our review, it appears the proposed development will be abutting portion of State Route 20 in the Yuba County in all three alternatives, stated in the Project background. Applicant is recommended to label our state right of way with bearings and distances and width on Plan Sheets. If the applicant needs a copy of our Right of Way Record Map for the area, they may be obtained by contacting the District 3 Right of Way Map counter at: d3rwmarequest@dot.ca.gov. Applicant or their representatives may also need to identify any possible vulnerable survey monuments in the development area that will need to be preserved and/or perpetuated with the building of the sound wall footing, as required by PE Act 6731.2 and PLS Act 8771.

Traffic Safety

1-5

Section 4.5 the report would be stronger if it addressed the fact that Kibbe Road will be used by loaded haul trucks, which have much longer turning times and acceleration capabilities than a passenger vehicle and therefore create more exposure for approaching drivers on the segment near Kibbe Road. One of the reasons for a controlled, signalized intersection being proposed is also to reflect Caltrans new standards of the Safe Systems approach which includes doing predictive analysis of potential future collisions using the Highway Safety Manual. The potential safety impacts due to haul trucks accessing a 55 mph rural conventional highway (with higher prevailing speeds) which serves as a commute segment during the AM/PM peak hours is a risk for Safe Systems that requires proactive measures (signalized intersection or roundabout) to reduce the potential for future collisions associated with the proposed project. Installation of a 12-foot-wide shoulder may also be problematic and would require some type of mitigation to clearly define the 12-foot area as a shoulder versus a through lane of traffic. Further discussion is warranted on the proposed shoulder width.

1-6

Please clarify why Section 4.5-3(a) makes no mention of Caltrans provided lane closure requirements being developed and implemented for the project to reduce potential public delay/impacts.

Encroachment Permit

1-7

Any project along or within the State's ROW requires an encroachment permit issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to:

"Provide a safe and reliable transportation network that serves all people and respects the environment"



**Letter 1
Cont'd**

Mr. Kevin Perkins, Planning Manager
January 12, 2022
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**1-7
cont'd.**

Hikmat Bsaibess
California Department of Transportation
District 3, Office of Permits
703 B Street
Marysville, CA 95901

1-8

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

1-9

If you have any question regarding these comments or require additional information, please contact Deborah McKee, Local Development Review Coordinator for Yuba County, by phone (530) 821-8411 or via email at deborah.mckee@dot.ca.gov.

Sincerely,



GARY ARNOLD, Branch Chief
Office of Transportation Planning
Regional Planning Branch—North

"Provide a safe and reliable transportation network that serves all people and respects the environment"



**LETTER 1: GARY ARNOLD, CALIFORNIA DEPARTMENT OF
TRANSPORTATION**

Response to Comment 1-1

The comment is an introductory statement, summarizes the project components, and does not address the adequacy of the Draft EIR.

Response to Comment 1-2

The comment does not specifically address the adequacy of the Draft EIR. Nonetheless, the commenter's concerns have been noted for the record and the following information is offered in response.

The operational phase of the proposed project would not involve any additional vehicle trips compared to existing conditions; rather, the proposed project would result in the redistribution of truck traffic associated with the Hallwood mining facility. As shown on page 4.5-4 of the Draft EIR, peak hour and daily trip generation for the Hallwood mine haul trucks and employees were estimated using detailed datasets provided by Teichert Aggregates. As discussed therein, the Hallwood mine generates approximately 882 truck trips per day during its 30th highest loads. However, average production in a historically busy year would generate approximately 524 truck trips per day. Therefore, the daily trips included in the traffic impact analysis used in the Draft EIR were greater than the actual average daily trip volumes, and the Draft EIR provides a conservative analysis of the trips generated by the Hallwood mine.

Response to Comment 1-3

The comment does not specifically address the adequacy of the Draft EIR. Nonetheless, the commenter's concerns have been noted for the record and the following information is offered in response.

As detailed on page 4.5-17 of the Draft EIR, with the implementation of Senate Bill (SB) 743, local jurisdictions may not rely on vehicle Level of Service (LOS) and similar measures related to delay as the basis for determining the significance of transportation impacts under CEQA. Therefore, concerns regarding queue lengths are no longer directly related to CEQA impacts. Nonetheless, the Sight Distance Analysis prepared for the proposed project (see Appendix G of the Draft EIR) included an analysis of queueing related to the safety of the proposed project. Table 2-1 presents the queue lengths of the existing conditions at the SR 20/Kibbe Road intersection. Table 2-2 and Table 2-3 present the queue lengths of the existing plus project conditions at the SR 20/Kibbe Road intersection. Table 2-4 and Table 2-5 present the queue lengths of the cumulative conditions at the SR 20/Kibbe Road intersection for the no build, plus project, and plus project with improvements scenarios.



| Table 2-1 | | | | | | | | | | | | | | |
|---|--------------|-----------|------------|---|---|------------|---|---|-----------|---|---|-----------|---|---|
| Queue Length – Existing Conditions | | | | | | | | | | | | | | |
| Scenario | Control Type | Peak Hour | Northbound | | | Southbound | | | Eastbound | | | Westbound | | |
| | | | L | T | R | L | T | R | L | T | R | L | T | R |
| Existing Conditions | Two-Way Stop | AM | 25 | | | 75 | | | 25 | | | 25 | | |
| | | PM | 25 | | | 25 | | | 25 | | | 25 | | |

Note: Queue lengths shown are maximum queues from SimTraffic (average of 10 runs). All queue lengths are represented in feet.

Source: Fehr & Peers, 2021

| Table 2-2 | | | | | | | | | | | | | | |
|---|--------------|-----------|------------|---|---|------------|---|---|-----------|---|---|-----------|---|---|
| Queue Length – Existing Plus Project (Proposed Project & Existing Alignment Alternative) | | | | | | | | | | | | | | |
| Scenario | Control Type | Peak Hour | Northbound | | | Southbound | | | Eastbound | | | Westbound | | |
| | | | L | T | R | L | T | R | L | T | R | L | T | R |
| Option A | Two-Way Stop | AM | 250 | | | 75 | | | 25 | | | 25 | | |
| | | PM | 100 | | | 25 | | | 25 | | | 25 | | |
| Option B | All-Way Stop | AM | 125 | | | 50 | | | 25 | | | 125 | | |
| | | PM | 75 | | | 25 | | | 25 | | | 175 | | |
| Option C | Signal | AM | 175 | | | 50 | | | 25 | | | 150 | | |
| | | PM | 100 | | | 50 | | | 50 | | | 225 | | |
| Option D | Roundabout | AM | 50 | | | 25 | | | 75 | | | 175 | | |
| | | PM | 25 | | | 25 | | | 150 | | | 75 | | |

Notes: Option A = Existing Plus Project
Options B-D = Existing Plus Project with Improvements
Under Option D, all approaches have a shared left/through/right lane.
Under No Build, Option A, Option B, and Option C, the northbound and southbound approaches have a shared left/through/right lane; the eastbound approach has a left turn pocket, a through lane, and a right turn pocket; and the westbound approach has a left turn pocket and a shared through/right turn lane.
For No Build, Option A, Option B, and Option C, queue lengths shown are maximum queues from SimTraffic (average of 10 runs). For Option D, queue lengths are 95th percentile queues from Sidra 8, using the Sidra Standard Method. All queue lengths are represented in feet.

Source: Fehr & Peers, 2022



Table 2-3
Queue Length – Existing Plus Project (Cordua Canal Alternative)

| Scenario | Control Type | Peak Hour | Northbound | | Eastbound | | Westbound | |
|----------|--------------|-----------|------------|----|-----------|----|-----------|-----|
| | | | L | R | T | R | L | T |
| Option A | Two-Way Stop | AM | 225 | 25 | 25 | 25 | 50 | 25 |
| | | PM | 75 | 25 | 25 | 25 | 50 | 25 |
| Option B | All-Way Stop | AM | 100 | 25 | 100 | 25 | 75 | 600 |
| | | PM | 75 | 25 | 250 | 25 | 50 | 100 |
| Option C | Signal | AM | 125 | 25 | 125 | 25 | 100 | 225 |
| | | PM | 75 | 25 | 125 | 25 | 25 | 75 |
| Option D | Roundabout | AM | 50 | | 75 | | 225 | |
| | | PM | 25 | | 150 | | 75 | |

Notes: Option A = Existing Plus Project
Options B-D = Existing Plus Project with Improvements
Under Option D, all approaches have a shared left/through/right lane.
Under Option A, Option B, and Option C, the northbound approach has a left turn lane and a right turn pocket; the eastbound approach has a through lane and a right turn pocket; and the westbound approach has a left turn pocket and a through lane.
For No Build, Option A, Option B, and Option C, queue lengths shown are maximum queues from SimTraffic (average of 10 runs). For Option D, queue lengths are 95th percentile queues from Sidra 8, using the Sidra Standard Method. All queue lengths are represented in feet.

Source: Fehr & Peers, 2022

Table 2-4
Queue Length – Design Year (2042) No Build/Proposed Project & Existing Alignment Alternative

| Scenario | Control Type | Peak Hour | Northbound | | | Southbound | | | Eastbound | | | Westbound | | |
|----------|--------------|-----------|------------|---|---|------------|---|---|-----------|-------|----|-----------|-------|---|
| | | | L | T | R | L | T | R | L | T | R | L | T | R |
| No Build | Two-Way Stop | AM | 25 | | | 100 | | | 25 | 25 | | 25 | 25 | |
| | | PM | 50 | | | 50 | | | 50 | 25 | | 25 | 25 | |
| Option A | Two-Way Stop | AM | 850 | | | 125 | | | 25 | 25 | 25 | 75 | 25 | |
| | | PM | 125 | | | 50 | | | 50 | 25 | 25 | 25 | 25 | |
| Option B | All-Way Stop | AM | 125 | | | 50 | | | 25 | 225 | 25 | 50 | 5,125 | |
| | | PM | 75 | | | 50 | | | 25 | 1,450 | 25 | 25 | 125 | |
| Option C | Signal | AM | 250 | | | 75 | | | 25 | 250 | 25 | 100 | 575 | |
| | | PM | 125 | | | 75 | | | 100 | 325 | 25 | 50 | 200 | |
| Option D | Roundabout | AM | 50 | | | 50 | | | 125 | | | 2,325 | | |
| | | PM | 25 | | | 25 | | | 375 | | | 75 | | |

Notes: No Build = Cumulative No Project
Option A = Cumulative Plus Project
Options B-D = Cumulative Plus Project with Improvements
Under Option D, all approaches have a shared left/through/right lane.
Under No Build, Option A, Option B, and Option C, the northbound and southbound approaches have a shared left/through/right lane; the eastbound approach has a left turn pocket, a through lane, and a right turn pocket; and the westbound approach has a left turn pocket and a shared through/right turn lane.
For No Build, Option A, Option B, and Option C, queue lengths shown are maximum queues from SimTraffic (average of 10 runs). For Option D, queue lengths are 95th percentile queues from Sidra 8, using the Sidra Standard Method. All queue lengths are represented in feet.

Source: Fehr & Peers, 2022



**Table 2-5
Queue Length – Design Year (2042) Cordua Canal Alternative**

| Scenario | Control Type | Peak Hour | Northbound | | Eastbound | | Westbound | |
|----------|--------------|-----------|------------|----|-----------|----|-----------|-------|
| | | | L | R | T | R | L | T |
| Option A | Two-Way Stop | AM | 775 | 25 | 25 | 25 | 75 | 25 |
| | | PM | 100 | 25 | 25 | 25 | 25 | 25 |
| Option B | All-Way Stop | AM | 100 | 25 | 175 | 25 | 50 | 5,325 |
| | | PM | 75 | 25 | 1,500 | 25 | 50 | 125 |
| Option C | Signal | AM | 175 | 25 | 200 | 25 | 100 | 350 |
| | | PM | 75 | 25 | 175 | 25 | 25 | 75 |
| Option D | Roundabout | AM | 50 | | 125 | | 2,525 | |
| | | PM | 25 | | 350 | | 100 | |

Notes: No Build = Cumulative No Project
Option A = Cumulative Plus Project
Options B-D = Cumulative Plus Project with Improvements
Under Option D, all approaches have a shared left/through/right lane.
Under Option A, Option B, and Option C, the northbound approach has a left turn lane and a right turn pocket; the eastbound approach has a through lane and a right turn pocket; and the westbound approach has a left turn pocket and a through lane.
For No Build, Option A, Option B, and Option C, queue lengths shown are maximum queues from SimTraffic (average of 10 runs). For Option D, queue lengths are 95th percentile queues from Sidra 8, using the Sidra Standard Method. All queue lengths are represented in feet.

Source: Fehr & Peers, 2022

Response to Comment 1-4

The comment provides background information regarding Caltrans requirements including the requirements of PE Act 6731.2 and PLS Act 8771. The comment does not address the adequacy of the Draft EIR and has been noted for the record.

Response to Comment 1-5

In response to the comment, the Traffic Signal Warrant Evaluation discussion on page 4.5-16 of the Draft EIR is hereby revised as follows:

The signal warrant analysis presented in the Transportation Impact Study examined the general correlation between the planned level of future development and the need to install new traffic signals. Future development-generated traffic was compared against one of nine standard traffic signal warrants recommended in the MUTCD. The analysis presented in this Chapter should not serve as the only basis for deciding whether and when to install a signal. To reach such a decision, the full set of warrants should be investigated based on field-measured, rather than forecast, traffic data and a thorough study of traffic and roadway conditions by an experienced engineer. Furthermore, the decision to install a signal should not be based solely upon one or two warrants, because the installation of traffic signals when not justified can lead to an increase in certain types of collisions. Prior to implementation, evaluation of the full set of warrants should be undertaken based on the latest traffic counts and collision data to make a determination that a traffic signal is warranted.

It should be noted that the proposed haul route would be used by loaded haul trucks, which have a much longer turning time and acceleration capabilities than a passenger vehicle, and, therefore, create more exposure to traffic hazards for approaching drivers on the SR 20 roadway near the SR 20/Kibbe Road intersection. The potential safety impacts due to



haul trucks accessing a 55 mile per hour (mph) rural conventional highway during the AM/PM peak hours is a risk for Safe Systems that requires proactive measures, such as a signaled intersection or roundabout, to reduce the potential for future collisions associated with the proposed project. As such, a traffic signal warrant evaluation was conducted to reflect Caltrans new standards of the Safe Systems approach, which includes conducting a predictive analysis of potential future collisions using the Highway Safety Manual.

Regarding the proposed shoulder width, as discussed on page 3-6 of the Draft EIR, the proposed roadway and intersection improvements would include a left-turn pocket for westbound SR 20 traffic and the installation of marked 12-foot shoulders on both sides of SR 20 to the west of the proposed intersection. The Draft EIR also notes that the project would include any additional improvements to SR 20 as determined by Caltrans. In addition, the three different intersection control options: a stop sign, a traffic signal, and a roundabout were considered and evaluated, and the analysis drew conclusions based on the most impactful intersection control option. As such, the analysis included in the Draft EIR analyzed the full width of the roadway under all three traffic control options and considered the worst-case scenario traffic control option for the environmental factors that would potentially be affected. The project applicant will continue to work with Caltrans to determine if any additional improvements to SR 20 at the SR 20/Kibbe Road intersection would be required.

Response to Comment 1-6

Page 4.5-25 of the Draft EIR states that, during construction, the proposed project could substantially increase hazards to vehicle safety because construction activities could interfere with the movement of traffic at the SR 20/Kibbe Road intersection, which could result in a hazardous traffic situation. As such, Mitigation Measure 4.5-3(a) requires the preparation of a Construction Traffic Management Plan. In response to the comment, minor revisions have been made to Mitigation Measure 4.5-3(a) to include Caltrans provided lane closure requirements.

Mitigation Measure 4.5-3(a) on page 4.5-25 of the Draft EIR is hereby revised as follows:

4.5-3(a) *Prior to issuance of construction permits, the project applicant shall prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Yuba County Community Development and Services Agency, and Caltrans. The plan shall include (but not be limited to) items such as:*

- *Guidance on the number and size of trucks per day entering and leaving the project site;*
- *Identification of arrival/departure times that would minimize traffic impacts;*
- *Approved truck circulation patterns;*
- *Locations of staging areas;*
- *Locations of employee parking and methods to encourage carpooling;*
- *Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);*
- *Criteria for use of flaggers and other traffic controls;*
- *Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;*
- *Monitoring for roadbed damage and timing for completing repairs;*



- Limitations on construction activity during peak/holiday weekends and special events;
- Preservation of emergency vehicle access;
- Coordination of construction activities with construction of other projects that occur concurrently in Yuba County to minimize potential additive construction traffic disruptions, avoid duplicative efforts (e.g., multiple occurrences of similar signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs);
- Implementation of Caltrans provided lane closure requirements to reduce potential public delay impacts:
- Removing traffic obstructions during emergency evacuation events; and
- Providing a point of contact for Yuba County residents and guests to obtain construction information, have questions answered, and convey complaints.

The CTMP shall be developed such that the following minimum set of performance standards is achieved throughout project construction. It is anticipated that additional performance standards will be developed once details of project construction are better known.

- Delivery trucks do not idle/stage on SR 20.
- SR 20 and Kibbe Road do not feature any construction-related lane closures on peak activity days.
- All construction employees shall park in designated lots owned by the project applicant or on private lots otherwise arranged for by the project applicant.
- Roadways, unmarked crosswalks, and bicycle facilities (e.g., roadway shoulders that could be used by bicyclists) shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety.

Response to Comment 1-7

The comment provides information regarding the required encroachment permit, and does not address the adequacy of the Draft EIR and has been noted for the record. Nonetheless, it is noted that page 3-9 of the Draft EIR indicates that an encroachment permit from Caltrans would be a required discretionary approval for implementation of the proposed project.

Response to Comment 1-8

The Caltrans District 3 office is included on the distribution list for the proposed project. Subsequent project documents will be submitted to Caltrans District 3.

Response to Comment 1-9

The comment is a concluding statement, and does not address the adequacy of the Draft EIR. Thank you for participating in the public review process of the Draft EIR. Your comments and concerns are noted for the record.



Letter 2

TAYLOR & WILEY

A PROFESSIONAL CORPORATION
ATTORNEYS
500 CAPITOL MALL, SUITE 1150
SACRAMENTO, CALIFORNIA 95814
TELEPHONE: (916) 929-5545

JOHN M. TAYLOR
JAMES B. WILEY
JESSE J. YANG
KATE A. WHEATLEY
MATTHEW S. KEASLING
MARISSA C. FUENTES

January 26, 2022

Kevin Perkins, Planning Manager
Yuba County Community Development and Services Agency
915 8th Street, Suite 123
Marysville, California 95901

Re: SR 20/Kibbe Road Intersection Project Draft Environmental Impact
Report (SCH# 2021040495)

Dear Mr. Perkins:

2-1

Taylor & Wiley represents Teichert Materials (Teichert), the applicant for the proposed State Route (SR) 20/Kibbe Road Intersection Project (Project). We have reviewed the Draft Environmental Impact Report (DEIR) for the Project. Based on that review, we offer the following comments:

Chapter 2. Executive Summary.

2-2

Pages 2-8 to 2-9, Table 2-1, Mitigation Measure 4.2-2(a). Please see our comments below regarding Pages 4.2-37 to 4.2-38, Mitigation Measure 4.2-2(a).

2-3

Page 2-13, Table 2-1, Mitigation Measure 4.3-3(a). Please see our comments below regarding Page 4.3-18, Mitigation Measure 4.3-3(a).

2-4

Pages 2-21 to 2-22, Table 2-1, Mitigation Measure X-1. This measure references both “RWRCB” and “SWRCB.” The measure was probably intended to refer to the Central Valley Regional Water Quality Control Board (RWQCB), the regional division of the State Water Resources Control Board that administers the Construction Stormwater General Permit in Central Valley Region.

Chapter 3. Project Description.

2-5

Page 3-9, Section 3.6, Required Discretionary Approvals. The list of required discretionary approvals mistakenly states that a “Section 401 permit” for the Project would be issued by the U.S. Army Corps of Engineers. As correctly described on pages 4.2-27 and 4.2-28 of the DEIR, Section 401 water quality certification (or waiver thereof) and waste discharge requirements (WDRs) for the Project would be issued by the Central Valley Regional Water Quality Control Board (RWQCB). The list of required discretionary approvals should be revised accordingly.



Mr. Kevin Perkins
January 26, 2022
Page 2

Chapter 4.2. Biological Resources.

2-6 Page 4.2-37 to 4.2-38, Mitigation Measure 4.2-2(a). In the first sentence of this measure, we would suggest replacing “Regional Water Board” with “RWQCB” to be consistent with the acronyms used within the same measure and elsewhere in the document.

2-7 Page 4.2-39, Impact 4.2-4. There are a few words missing from the last sentence in the first paragraph of this discussion of tree impacts. We would recommend revising that sentence as follows to better describe the recommendations of the sight distance analysis:

In addition, as recommended by a Sight Distance Analysis prepared by Fehr & Peers (see Appendix G), *removal of* a group of trees located in the northeast corner of the SR 20/Kibbe Road intersection would be required in order to not hinder sight distance.

Chapter 4.3. Cultural and Tribal Cultural Resources.

2-8 Page 4.3-18, Mitigation Measure 4.3-3(a). This measure refers to Mitigation Measure 4.3-1, but no such mitigation measure exists. Presumably, the measure was intended to refer to Mitigation Measure 4.3-2.

Chapter 4.4. Noise.

2-9 Page 4.4-19, Impact 4.4-2. In the first two paragraphs of the discussion of traffic noise impacts, there are two references to “Teichert hauling truck traffic” and “Teichert trucks.” It should be noted that Teichert typically does not own the trucks that haul aggregate from Teichert’s Hallwood Plant to construction sites. Rather, the trucks are typically owned by contractors who are paid by our customers to deliver aggregate to construction sites. Perhaps, the trucks could more accurately be described as “truck traffic associated with Teichert’s Hallwood Plant operations” rather than “Teichert trucks.”

Chapter 4.5. Transportation.

2-10 Page 4.5-18, Table 4.5-4. In the last column of the first row of this table, the existing-plus-project LOS for the SR 20/Kibbe Road intersection should in **bold** font in light of the projected LOS F operations in the a.m. peak hour.

2-11 Page 4.5-21, Last Paragraph. With respect to the first bullet in this paragraph, it should also be noted that Caltrans is also considering, as an alternative to a traffic signal, a single-lane roundabout at the SR 20/Kibbe Road intersection, as discussed on Page 4.5-32 of the DEIR.



**Letter 2
Cont'd**

Mr. Kevin Perkins
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Page 3

Chapter 5. Alternatives Analysis.

2-12

Pages 5-10 to 5-14, Existing Alignment Alternative. Teichert considers this alternative to be potentially feasible, depending on the availability of the necessary right-of-way for its implementation.

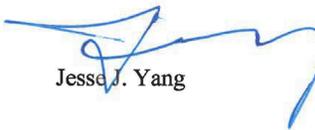
2-13

Pages 5-14 to 5-18, Cordua Canal Alternative. Teichert considers the Cordua Canal Alternative to be economically infeasible given the substantial amount of right-of-way acquisition required to implement this alternative. Our initial cost estimates indicate that it would be approximately 20 percent more expensive to implement than the proposed project or the Existing Alignment Alternative.

Thank you for the opportunity to provide our comments on the DEIR. Please let us know if you have any questions regarding our comments.

2-14

Sincerely,



Jesse J. Yang

cc: Michael Smith, Teichert Materials



LETTER 2: JESSE J. YANG, TAYLOR & WILEY

Response to Comment 2-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 2-2

Please see Response to Comment 2-6.

Response to Comment 2-3

Please see Response to Comment 2-8.

Response to Comment 2-4

The commenter is correct in that Mitigation Measure X-1, included in the Initial Study prepared for the proposed project, refers to both the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Board (RWQCB). For clarification purposes, Mitigation Measure X-1, referenced on pages 2-21 to 2-22 of the Draft EIR, is hereby revised as follows:

- X-1. *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the RWQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the ~~SWRCB~~ RWQCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the Project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to the Director of Public Works/County Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

Response to Comment 2-5

The commenter is correct in that the discretionary approvals listed on page 3-9 of the Draft EIR erroneously refers to the U.S. Army Corps of Engineers (USACE) as the issuing agency. As such, Section 3.6, Required Discretionary Approvals, on page 3-9 of the Project Description chapter of the Draft EIR, is hereby revised as follows:

Implementation of the proposed project would require the following discretionary approvals from other agencies:

- Encroachment permit from Caltrans;
- Section 401 permit from the Central Valley Regional Water Quality Control Board (RWQCB) ~~U.S. Army Corps of Engineers (USACE)~~; and
- Section 404 permit from U.S. Army Corps of Engineers (USACE).



Response to Comment 2-6

The commenter is correct in that the reference to the RWQCB as Regional Water Board in Mitigation Measure 4.2-2(a) is inconsistent with the other references in the chapter. For consistency purposes, Mitigation Measure 4.2-2(a), on pages 4.2-37 and 4.2-38 of the Draft EIR, is hereby revised as follows:

4.2-2(a) *Prior to construction, the project applicant shall submit an Aquatic Resources Delineation Report to the USACE and RWQCB to determine if the seasonal wetlands, roadside ditches, and agricultural ditches would be regulated by the USACE under Section 404 of the Clean Water Act and/or by the RWQCB ~~Regional Water Board~~ under Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act. If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are not regulated under State and federal laws, further mitigation is not required.*

If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are regulated under State and federal laws, the project applicant shall obtain the required permits and implement any required compensation for the loss of waters of the U.S. and/or waters of the State. The actual mitigation ratio and associated credit acreage shall be based on USACE and RWQCB permitting, which will dictate the ultimate compensation for permanent or temporary impacts to waters of the U.S./waters of the State. RWQCB and USACE determinations, as well as proof of required permits, if any, shall be submitted to the Yuba County Community Development and Services Agency for review.

Response to Comment 2-7

The commenter is correct in that the discussion under Impact 4.2-4 includes an incomplete sentence regarding the removal of trees within the project area. Based on the commenter's concerns, and for clarification purposes, page 4.2-39 of the Draft EIR is hereby revised as follows:

The proposed project would require the removal of two Fremont's cottonwood trees, which are presumed to have a dbh exceeding 30 inches. Therefore, the two trees proposed for removal are protected under Yuba County Code of Ordinances Chapter 11.44.060. However, the project would be implemented and conditioned consistent with provisions of the County's tree preservation ordinance. In addition, as recommended by a Sight Distance Analysis prepared by Fehr & Peers (see Appendix G) removal of a group of trees located in the northeast corner of the SR 20/Kibbe Road intersection would be required in order to not hinder sight distance.

Response to Comment 2-8

The commenter is correct in that Mitigation Measure 4.3-3(a) mistakenly refers to Mitigation Measure 4.3-1, rather than Mitigation Measure 4.3-2. For clarification purposes, Mitigation Measure 4.3-3(a) on page 4.3-18 of the Draft EIR is hereby revised as follows:

4.3-3(a) *Implement Mitigation Measure 4.3-2 1.*



Response to Comment 2-9

The commenter is correct in that on page 4.4-19 of the Draft EIR, the discussion references Teichert when describing truck traffic associated with the Hallwood mine. For clarification purposes, the discussion on page 4.4-19 of the Draft EIR is hereby revised as follows:

The proposed project consists of modifications to the SR 20/Kibbe Road intersection to allow hauling trucks from the Hallwood mine to access the proposed haul route. As such, the primary operational noise source associated with the development of the proposed project would be noise from the Teichert hauling truck traffic associated with Teichert's Hallwood mine operations along the proposed haul route.

Because all of the Teichert hauling truck traffic associated with Teichert's Hallwood mine operations would use the proposed haul route for site access, the proposed project would result in a decrease in truck activity on Walnut Avenue and West Hallwood Boulevard. Specifically, Teichert trucks associated with Teichert's Hallwood mine operations which currently arrive at the Hallwood mine via Walnut Avenue, and depart the Hallwood mine via Hallwood Boulevard would not use those roadway segments following the completion of the proposed project. Further discussion of noise impacts on sensitive receptors in the project vicinity is provided below.

Response to Comment 2-10

The commenter is correct in that Table 4.5-4 on page 4.5-18 of the Draft EIR, should include bold text for the SR 20/Kibbe Road intersection under Existing Plus Project Conditions. As such, Table 4.5-4 of the Draft EIR is hereby revised as follows:

| Table 4.5-1 Existing Plus Project Intersection LOS | | | | | | |
|---|-----------------|-----------|---------------------|--------------|----------------------------------|--------------|
| Intersection | Traffic Control | Peak Hour | Existing Conditions | | Existing Plus Project Conditions | |
| | | | Delay ¹ | LOS | Delay ¹ | LOS |
| SR 20/Kibbe Road | SSSC | AM | 1 (15) | A (B) | 4 (52) | A (F) |
| | | PM | 1 (22) | A (C) | 1 (26) | A (D) |
| SR 20/Loma Rica Road | SSSC | AM | 47 (150) | E (F) | 52 (175) | F (F) |
| | | PM | 3 (16) | A (C) | 3 (17) | A (C) |
| SR 20/Woodruff Lane | SSSC | AM | 2 (26) | A (D) | 2 (28) | A (D) |
| | | PM | 3 (27) | A (D) | 3 (27) | A (D) |
| SR 20/Hallwood Boulevard | SSSC | AM | 51 (>300) | F (F) | 11 (138) | B (F) |
| | | PM | 3 (61) | A (F) | 2 (53) | A (F) |
| SR 20/ Walnut Avenue | SSSC | AM | 2 (59) | A (F) | 2 (62) | A (F) |
| | | PM | 1 (45) | A (E) | 1 (46) | A (E) |
| Walnut Avenue/Hallwood Boulevard | AWSC | AM | 8 | A | 7 | A |
| | | PM | 7 | A | 7 | A |
| Hallwood Boulevard/Hooper Road | AWSC | AM | 8 | A | 7 | A |
| | | PM | 7 | A | 7 | A |

Notes: SSSC = side street stop controlled. AWSC = all-way stop controlled. Bold indicates unacceptable operations.
¹ Average delay (rounded to the nearest second). For all-way stop controlled intersections, average delay is the weighted average for all movements. For side-street stop controlled intersections, both the intersection average delay and worst movement average delay (in parentheses) is reported.

Source: Fehr & Peers, 2021.



Response to Comment 2-11

The commenter is correct in that the County is considering the installation of a single lane roundabout at the SR 20/Kibbe Road intersection. As such, the discussion on page 4.5-21 of the Draft EIR is hereby revised as follows:

The County shall condition the project, if approved, to require the applicant to fully construct the following improvements:

- The SR 20/Kibbe Road intersection does not meet the peak hour signal warrant under Existing Plus Project Conditions. The applicant shall install a right turn pocket on the eastbound approach of the SR 20/Kibbe Road intersection which would result in acceptable LOS E operations. The improvement would be a fully funded project cost. It should be noted that the proposed project would include the installation of a traffic signal at the SR 20/Kibbe Road intersection, following approval by Caltrans. Installation of a single lane roundabout control with a shared left/through/right turn lane on all approaches is also being considered for the proposed project. Improvements would be fully funded project costs.
- The SACOG MTP/SCS identifies installation of a traffic signal at SR 20/Loma Rica Road as a project to be completed between 2031 and 2035, with Yuba County listed as the lead agency. The peak hour traffic signal warrant analysis showed that the intersection meets the warrant under existing conditions during the AM and PM peak hours. Installation of a traffic signal at SR 20/Loma Rica Road would improve operations to LOS C in the AM peak hour under Existing Plus Project Conditions. The Countywide Traffic Impact Fee Program identified the installation of the traffic signal within the Impact Fee Study. Therefore, because intersection operations are already deficient under existing conditions, the proposed project would be required to pay a fair share contribution of 4.4 percent to the Countywide Traffic Impact Fee Program (see Appendix G).¹

Response to Comment 2-12

Comments regarding the feasibility of the proposed project's alternatives do not address the adequacy of the Draft EIR. Nonetheless, the commenter's concerns have been noted for the record and forwarded to the decision makers for their consideration.

Response to Comment 2-13

Please see Response to Comment 2-12.

Response to Comment 2-14

The comment is a concluding statement, and does not address the adequacy of the Draft EIR. Thank you for participating in the public review process of the Draft EIR. Your comments and concerns are noted for the record.



Letter 3



Central Valley Regional Water Quality Control Board

26 January 2022

Kevin Perkins
Yuba County Community Development and
Services Agency
915 8th Street, Suite 123
Marysville, CA 95901
kperkins@CO.YUBA.CA.US

**COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL
IMPACT REPORT, SR 20/KIBBE ROAD INTERSECTION PROJECT,
SCH#2021040495, YUBA COUNTY**

3-1

Pursuant to the State Clearinghouse's 3 December 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the SR 20/Kibbe Road Intersection Project, located in Yuba 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.

3-2

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

DENISE KADARA, ACTING CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

11020 Sun Center Drive #200, Rancho Cordova, CA 95670 | www.waterboards.ca.gov/centralvalley



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 Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

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

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

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

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

3-2 cont'd



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 (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

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.

3-2 cont'd



3-2 cont'd

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

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



SR 20/Kibbe Road Intersection Project - 5 -
Yuba County

26 January 2022

3-2 cont'd

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

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

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

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 *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: <https://www.waterboards.ca.gov/centralvalley/help/permit/>

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

3-3



Peter G. Minkel
Engineering Geologist

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



**LETTER 3: PETER G. MINKEL, CENTRAL VALLEY REGIONAL WATER
QUALITY BOARD**

Response to Comment 3-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 3-2

The comment provides background information regarding applicable regulations and required permits and the comment does not address the adequacy of the Draft EIR and has been noted for the record. Nonetheless, it is noted that the required RWQCB approvals and regulatory framework are discussed on pages 3-9, 4.2-28, and 4.2-29 of the Draft EIR. The requirements are also reflected in Mitigation Measure 4.2-2(a) and Mitigation Measure X-1.

Response to Comment 3-3

The comment is a concluding statement, and does not address the adequacy of the Draft EIR. Thank you for participating in the public review process of the Draft EIR. Your comments and concerns are noted for the record.



Letter 4

Perkins, Kevin

Subject: FW: Draft EIR Kibbe Road Project

From: Cheryl Epperson <cherylepperson@aol.com>
Sent: Wednesday, January 19, 2022 5:47 PM
To: Perkins, Kevin <kperkins@CO.YUBA.CA.US>
Subject: Re: Draft EIR Kibbe Road Project

Dear Mr. Perkins

4-1 With some review of the Draft EIR for Kibbe Road project, we would like to respond with the following comments and questions.

4-2 We are of the belief that a bypass would best serve Yuba County to redirect traffic congestion away from town, including traffic associated with ALL the sand and gravel operations in the area. We hope the county is taking into consideration the longer term needs of ALL the residents in conjunction with concerns such as these addressed in the draft EIR. Accordingly, this particular neighborhood issue could have a more logical, longer term solution, better serving all the county residents.

4-3 From what we have read in the Draft EIR thus far, the information contained was mostly analyzed in the here and now moment of life along the existing haul route and the proposed alternates. As we voiced with our prior concerns, we have not seen where a comparison with pre-Covid traffic patterns were factored into the information considered in the findings. We are still far below normal highway use as things in the world slowly get back up to speed. Not to mention orders for materials and construction is still in a slump from Covid issues.

4-4 We would like to know if all of Kibbe Road North will be accessible? Will residents, for example be able to fully use Kibbe Road North from Loma Rica Road to Highway 20? This particular



Letter 4
Cont'd

4-4
cont'd.

road has been used in the past to bypass accidents just east of Loma Rica Road on the highway.

4-5

We would like to know if additional highway signage notifying motorists of a few potential factors such as resident traffic, trucks entering the highway, bus stop and other potential hazards were considered in the Draft EIR?

4-6

We would like to know if the gravel pit is going to allow early bird truckers through their gates for dark, morning, arrivals (ie. 4:00 AM waiting to be loaded)? This would be to avoid the potential of trucks stacked up and idling roadside (just like it is now at Walnut and Hwy 20). The Draft EIR considers the lights from trucks during dark hours as minimal, that may or may not be completely the case. During the busy season, early morning truckers have sat at Hwy 20 in Hallwood when it is dark for hours, as long as we have lived in the area. Fumes and lights from this activity should be fully accounted for.

4-7

Just how much right of way is reasonable to expect from the home owners? My home, along with a couple others are already too close to the highway. Recently, Cal Trans imposed upon all of us right of way acquisitions to upgrade Hwy 20 by changing the grade, drainage and 12 foot shoulders. Agreed, that some of these changes were necessary, but I'm not eagerly awaiting another visit from their road agents that have mislead residents in the past and did not remedy problems that project caused, and, at least one of them is not welcome on our property. As of note, it is our experience that the work Cal Trans did on the blind hill still did not eliminate all of the line of sight issues for us as well as other drivers, not to mention the deception of raising the road several feet higher than the road agent said they would.

4-8

Have the fuel tanks at Hwy 20 and Kibbe road been accounted for in the Draft EIR? Some of the lines change the layout for the highway, crossing over where old tanks lie underground at the



**Letter 4
Cont'd**

4-8
cont'd. ↑ corner, do we really want fresh digging and new compaction for new highway over these tanks, they are already too close to wells and storm drains in the area. These same lines also cross over residents septic lines, I hope those issues will also be thought of.

4-9 Please add these questions and comments to your meeting tonight, we are unable to attend this evening. We will have others to follow once we have reviewed more of the enormous Draft EIR

Thank you for your time and consideration,

Ron Epperson
Cheryl Epperson



LETTER 4: RON AND CHERYL EPPERSON

Response to Comment 4-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 4-2

As discussed on Page 5-4 of the Draft EIR, and as stated in CEQA Guidelines Section 15126.6(c), among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are:

- (i) failure to meet most of the basic project objectives,
- (ii) infeasibility, or
- (iii) inability to avoid significant environmental impacts.

Off-Site Location Alternatives 1 through 5B, which considered multiple alternative haul routes in the project site vicinity, were analyzed within Chapter 5, Alternatives Analysis, of the Draft EIR. As discussed therein, Off-Site Location Alternatives 1 through 5B would each fail to meet most of the basic project objectives, and would not avoid any significant environmental effects. As such, the Off-Site Location Alternatives 1 through 5B were dismissed from further review.

Nonetheless, the commenter's preference for a bypass to address concerns regarding the regional issue of traffic related to sand and gravel operations in the area has been forwarded to the decision makers for their consideration.

Response to Comment 4-3

According to the CEQA Guidelines Section 15125(a), "An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant." Notably, the purpose of this requirement, "...is to give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts." However, the CEQA Guidelines, and the courts, have noted that in some situations, the physical conditions existing at the time the environmental analysis commences (e.g., for an EIR, the Guidelines describe this as publication of the Notice of Preparation [NOP]) do not always provide the most accurate and understandable picture practically possible of the project's likely impacts. For example, Guidelines Section 15125(a)(1) states that, "...where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence."

Therefore, in keeping with the commenter's concerns related to pre-COVID traffic patterns, the traffic baseline was adjusted. As discussed on page 25 of the Transportation Impact Study prepared for the proposed project (see Appendix G of the Draft EIR), due to travel pattern changes resulting from statewide measures to curb the ongoing COVID-19 pandemic, intersection turning movement counts were not collected. Instead, traffic count data was obtained from StreetLight Data, a vendor that provides mobile-sourced traffic data. Mid-week (Tuesday through Thursday) 24-hour traffic volume estimates collected for October 2019 were used in the analysis included within the Transportation Impact Study and presented in the Draft EIR. In addition, roadway



segment average daily traffic (ADT) estimates were compared to Caltrans 2019 annual ADT data to ensure accuracy, where possible.

Peak hour and daily trip generation for haul trucks and employees were estimated using detailed datasets provided by Teichert Aggregates. To determine the AM peak hour, PM peak hour, and daily truck trip generation of the project, trip generation rates were developed using one year of historical data ranging from October 1, 2019 to September 30, 2020. The Hallwood facility dataset for October 2019—the month corresponding to StreetLight Data volume estimates—shows that average peak hour and daily loads were substantially lower in October than the 30th highest load trip generation estimates. Therefore, adjustments were made to traffic volumes, resulting in a scenario with existing conditions background traffic volumes plus Hallwood site traffic consistent with the trip generation estimates shown in Table 4.5-1 of the Draft EIR for the 30th highest loads during a historically busy year.

Based on the above information, the Draft EIR was prepared consistent with pre-COVID traffic patterns, as requested by the commenter.

Response to Comment 4-4

As discussed on page 3-9 of the Draft EIR, a temporary (up to three days) loss of direct access from Kibbe Road north to SR 20 would occur during the transition from the existing intersection to the new intersection. In addition, during construction of Kibbe Road north, a one-time four-hour period during which Kibbe Road would not be accessible would be required to conform driveways for the three residences along Kibbe Road north of SR 20. However, following completion of the new SR 20/Kibbe Road intersection, Kibbe Road north would be fully accessible to all residents in the area, similar to pre-project conditions.

Response to Comment 4-5

Highway signage would be posted as required by Yuba County and Caltrans. As discussed on page 4.5-26 of the Draft EIR, with the implementation of Mitigation Measure 4.5-3(a), which requires the preparation of a Construction Traffic Management Plan, all construction related hazards would be reduced to a less-than-significant level. The Draft EIR determined that without the removal of trees, picnic tables, and signs in the vicinity of the SR 20/Kibbe Road intersection, such objects would hinder the sight distance of the drivers on the westbound approach of the proposed intersection. However, Mitigation Measure 4.5-3(b) would ensure the removal of the aforementioned objects prior to the issuance of construction permits for the proposed project. Additional hazards related to the construction and operation of the proposed project were not identified in the Draft EIR.

Response to Comment 4-6

The proposed project only involves the approval of encroachment permits and a grading permit for the construction of the remaining portion of a private haul road and intersection improvements, none of which govern the mining operations at the Hallwood mine. As such, trucking operations would not change the extent that truckers idling at the gates of the Hallwood mine may still occur.

According to Teichert, under current operations, trucks are not permitted to enter Walnut Avenue or Hallwood Boulevard prior to 5:30 AM, with the exception of required nighttime or emergency work, in order to alleviate early morning concerns from the many residents on Walnut Avenue and Hallwood Boulevard. Early morning trucking operations are monitored by a Teichert safety



monitor. Trucks that arrive at the intersection of Walnut Avenue and SR 20 prior to the 5:30 AM opening often queue along the shoulder of SR 20.

Under the proposed project, the Walnut Avenue entrance will be used only by employees and vendors. Walnut Avenue would be signed “no aggregate trucks,” and such trucks would be directed to the proposed private haul road through the SR 20/Kibbe Road intersection. Prior to the opening of the Hallwood mine each morning, aggregate trucks could queue along the approximately one-mile-long private haul road without affecting operations on SR 20.

Sections 2449 and 2485 of Title 13 of the California Code of Regulations (CCR) limit idling of heavy-duty trucks to five minutes. Unless specifically exempted in Sections 2449 and 2485, all diesel-powered equipment and heavy-duty trucks associated with the proposed project would be subject to such idling limitations. Therefore, emissions associated with early morning hauling trucks would be limited.

In regard to light impacts, the vast majority of idling mining trucks waiting to enter the Hallwood mine would face south, towards the mine entrance, and away from residences in the vicinity of the SR 20/Kibbe Road intersection. Therefore, the assumption can be made that substantial light and glare associated with headlights from queued hauling trucks would not occur.

Response to Comment 4-7

Concerns related to right-of-way (ROW) acquisition, as well as past issues with Caltrans, do not specifically address the adequacy of the Draft EIR. Nonetheless, the commenter’s concerns have been noted for the record and the following information is offered in response.

While the specific width of ROW acquisition for the proposed project is not specifically stated in the Draft EIR, according to the project applicant, the commenter’s property would not be affected in regard to ROW impacts, as Caltrans previously acquired ROW for said property during a past SR 20 realignment/widening project.

Regarding the work Caltrans performed on the “blind hill” located along SR 20, page 4.5-25 of the Draft EIR addressed concerns related to the safety of the Cordua Canal undercrossing of SR 20 as it relates to obstructed views from land fog and the “blind hill” at the crossing, and found that the proposed project would not affect the sight distance of traffic travelling along SR 20. Additionally, the canal undercrossing is located approximately 0.35-mile east of the project site, and therefore, would not be affected during project construction.

Response to Comment 4-8

As stated on page 26 of the Initial Study prepared for the Draft EIR, aboveground or underground storage tanks (USTs) are not known to exist on the site. It should be noted that anecdotal evidence suggests that in 1965, the parcel in the northeast corner of the SR 20/Kibbe Road intersection (Assessor’s Parcel Number [APN] 006-290-050), was used as a gas station. However, both the Yuba County Environmental Health Department and Building Department do not have any records of USTs or records of any tanks being removed from the parcel. The Yuba County Environmental Health Department also stated that they do not have any record of contaminated wells in the area.

Even if the assumption was made that USTs associated with the prior gas station exist, the extent of project construction within the vicinity of APN 006-290-050 would be limited to surface work,



such as the paving of driveway extensions and the removal of trees. Thus, the proposed project would not include construction activities that would extend far enough below the ground surface to disturb any USTs within the project area.

Response to Comment 4-9

The comment is a concluding statement, and does not address the adequacy of the Draft EIR. Thank you for participating in the public review process of the Draft EIR. Your comments and concerns are noted for the record.



Letter 5

Yuba County Planning Commission Meeting
SR 20/Kibbe Road Intersection Project (SCH 2021040495).

January 19, 2022
6:00 PM

Staff Presentation: Presentation by Kevin Perkins, Yuba County Planning Director

Public Comment Summary:

- 5-1
1. **Don Shrader (31:26)**
The commenter stated that he previously worked on the project in 2003. The commenter noted that the private haul road has already been built, and is surprised the project has taken several years to get approved. The commenter believes that the project will relieve traffic congestion and result in safer conditions, and the commenter supports approval of the proposed project.
- 5-2
2. **Iree Douglas (34:00)**
The commenter stated that she represents the Hallwood| Community. The commenter notes that the Hallwood Community has been subject to increasing traffic from Teichert vehicles for many years. The commenter expressed concern regarding the lack of compatibility between heavy truck traffic and streets where children recreate. Additionally, the commenter claims that noise generated from the trucks violates the neighborhood noise standards.

The commenter stated that the proposed project would reduce vehicle miles traveled and, therefore, would reduce associated mobile emissions. In addition, the commenter believes that roadway safety would be increased as a result of the proposed traffic signal and bus stop. The commenter also stated that the State highway is more suitable for heavy truck traffic, as compared to the existing truck route, and that Teichert would be responsible for funding all project costs.

Overall, the commenter supports approval of the proposed project.



**LETTER 5: PUBLIC COMMENT SUMMARY FROM YUBA COUNTY
PLANNING COMMISSION MEETING**

Response to Comment 5-1

The comment does not address the adequacy of the Draft EIR. Thank you for participating in the public review process of the Draft EIR. Your comments are noted for the record.

Response to Comment 5-2

Please see Response to Comment 5-1.



3. Revisions to the Draft EIR Text

3. REVISIONS TO THE DRAFT EIR TEXT

3.1 INTRODUCTION

The Revisions to the Draft EIR Text chapter provides all corrections, additions, and revisions made to the Draft EIR. The changes represent minor clarifications and amplifications of the analysis contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR. Please refer to the discussion of this topic provided in Section 1.6 of Chapter 1, Introduction and List of Commenters.

3.2 DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

2 Executive Summary

In order to correct a typographical error, the summary of the Existing Alignment Alternative on page 2-3 of the Draft EIR is hereby revised as follows:

The Existing Alignment Alternative would involve the easterly realignment of the private haul road to connect with the existing SR 20/Kibbe Road intersection. Access to the Hallwood mine would be provided in the same location as the proposed project and, also similar to the proposed project, would be located along the majority of the previously constructed private haul road located to the south of the SR 20/Kibbe Road intersection. The Existing Alignment Alternative would result in similar impacts to ~~all issue areas except Biological Resources, which would be greater than~~ the proposed project.

Additionally, for clarification purposes, Table 2-1, beginning on page 2-5 in Chapter 2, Executive Summary, of the Draft EIR, is hereby revised to reflect revisions made to mitigation measures as part of this Final EIR in the relevant Draft EIR chapters, as presented throughout this chapter. Rather than include the entirety of Table 2-1 with revisions shown where appropriate, only the impacts for which mitigation has been revised or added are presented below. Please refer to the end of this chapter for Table 2-1.

The foregoing revisions correct minor typographical errors, and do not affect the analysis or conclusions presented within the Draft EIR.

3 Project Description

Page 3-9 of the Draft EIR is hereby revised as follows:

Implementation of the proposed project would require the following discretionary approvals from other agencies:

- Encroachment permit from Caltrans;
- Section 401 permit from the Central Valley Regional Water Quality Control Board (RWQCB) U.S. Army Corps of Engineers (USACE); and



- Section 404 permit from U.S. Army Corps of Engineers (USACE).

The foregoing revision is for clarification purposes only, and does not affect the analysis or conclusions presented within the Draft EIR.

4.2 Biological Resources

Page 4.2-39 of the Draft EIR is hereby revised as follows:

The proposed project would require the removal of two Fremont's cottonwood trees, which are presumed to have a dbh exceeding 30 inches. Therefore, the two trees proposed for removal are protected under Yuba County Code of Ordinances Chapter 11.44.060. However, the project would be implemented and conditioned consistent with provisions of the County's tree preservation ordinance. In addition, as recommended by a Sight Distance Analysis prepared by Fehr & Peers (see Appendix G) removal of a group of trees located in the northeast corner of the SR 20/Kibbe Road intersection would be required in order to not hinder sight distance.

In addition, Mitigation Measure 4.2-2(a), on pages 4.2-37 and 4.2-38 of the Draft EIR is hereby revised as follows:

4.2-2(a) *Prior to construction, the project applicant shall submit an Aquatic Resources Delineation Report to the USACE and RWQCB to determine if the seasonal wetlands, roadside ditches, and agricultural ditches would be regulated by the USACE under Section 404 of the Clean Water Act and/or by the ~~RWQCB Regional Water Board~~ under Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act. If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are not regulated under State and federal laws, further mitigation is not required.*

If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are regulated under State and federal laws, the project applicant shall obtain the required permits and implement any required compensation for the loss of waters of the U.S. and/or waters of the State. The actual mitigation ratio and associated credit acreage shall be based on USACE and RWQCB permitting, which will dictate the ultimate compensation for permanent or temporary impacts to waters of the U.S./waters of the State. RWQCB and USACE determinations, as well as proof of required permits, if any, shall be submitted to the Yuba County Community Development and Services Agency for review.

The foregoing revisions correct minor typographical errors, and do not affect the analysis or conclusions presented within the Draft EIR.

4.3 Cultural and Tribal Cultural Resources

Mitigation Measure 4.3-3(a) on page 4.3-18 of the Draft EIR is hereby revised as follows:

4.3-3(a) *Implement Mitigation Measure 4.3-2 1.*

The foregoing revision corrects a minor typographical error, and does not affect the analysis or conclusions presented within the Draft EIR.



4.4 Noise

Page 4.4-19 of the Draft EIR is hereby revised as follows:

The proposed project consists of modifications to the SR 20/Kibbe Road intersection to allow hauling trucks from the Hallwood mine to access the proposed haul route. As such, the primary operational noise source associated with the development of the proposed project would be noise from the Teichert hauling truck traffic associated with Teichert's Hallwood mine operations along the proposed haul route.

Because all of the Teichert hauling truck traffic associated with Teichert's Hallwood mine operations would use the proposed haul route for site access, the proposed project would result in a decrease in truck activity on Walnut Avenue and West Hallwood Boulevard. Specifically, Teichert trucks associated with Teichert's Hallwood mine operations which currently arrive at the Hallwood mine via Walnut Avenue, and depart the Hallwood mine via Hallwood Boulevard would not use those roadway segments following the completion of the proposed project. Further discussion of noise impacts on sensitive receptors in the project vicinity is provided below.

The foregoing revision is for clarification purposes only, and does not affect the analysis or conclusions presented within the Draft EIR.

4.5 Transportation

The Traffic Signal Warrant Evaluation discussion included on page 4.5-16 of the Draft EIR is hereby revised as follows:

The signal warrant analysis presented in the Transportation Impact Study examined the general correlation between the planned level of future development and the need to install new traffic signals. Future development-generated traffic was compared against one of nine standard traffic signal warrants recommended in the MUTCD. The analysis presented in this Chapter should not serve as the only basis for deciding whether and when to install a signal. To reach such a decision, the full set of warrants should be investigated based on field-measured, rather than forecast, traffic data and a thorough study of traffic and roadway conditions by an experienced engineer. Furthermore, the decision to install a signal should not be based solely upon one or two warrants, because the installation of traffic signals when not justified can lead to an increase in certain types of collisions. Prior to implementation, evaluation of the full set of warrants should be undertaken based on the latest traffic counts and collision data to make a determination that a traffic signal is warranted.

It should be noted that the proposed haul route would be used by loaded haul trucks, which have a much longer turning time and acceleration capabilities than a passenger vehicle, and, therefore, create more exposure to traffic hazards for approaching drivers on the SR 20 roadway near the SR 20/Kibbe Road intersection. The potential safety impacts due to haul trucks accessing a 55 mile per hour (mph) rural conventional highway during the AM/PM peak hours is a risk for Safe Systems that requires proactive measures, such as a signaled intersection or roundabout, to reduce the potential for future collisions associated with the proposed project. As such, a traffic signal warrant evaluation was conducted to reflect Caltrans new standards of the Safe Systems approach, which includes conducting a predictive analysis of potential future collisions using the Highway Safety Manual.

The foregoing revision is for clarification purposes only, and does not affect the analysis or conclusions presented within the Draft EIR.



Table 4.5-4 on page 4.5-18 of the Draft EIR, should include bold text for the SR 20/Kibbe Road intersection under Existing Plus Project Conditions, Table 4.5-4 of the Draft EIR is hereby revised as follows:

| Table 4.5-4 Existing Plus Project Intersection LOS | | | | | | |
|---|-----------------|-----------|---------------------|--------------|----------------------------------|--------------|
| Intersection | Traffic Control | Peak Hour | Existing Conditions | | Existing Plus Project Conditions | |
| | | | Delay ¹ | LOS | Delay ¹ | LOS |
| SR 20/Kibbe Road | SSSC | AM | 1 (15) | A (B) | 4 (52) | A (F) |
| | | PM | 1 (22) | A (C) | 1 (26) | A (D) |
| SR 20/Loma Rica Road | SSSC | AM | 47 (150) | E (F) | 52 (175) | F (F) |
| | | PM | 3 (16) | A (C) | 3 (17) | A (C) |
| SR 20/Woodruff Lane | SSSC | AM | 2 (26) | A (D) | 2 (28) | A (D) |
| | | PM | 3 (27) | A (D) | 3 (27) | A (D) |
| SR 20/Hallwood Boulevard | SSSC | AM | 51 (>300) | F (F) | 11 (138) | B (F) |
| | | PM | 3 (61) | A (F) | 2 (53) | A (F) |
| SR 20/ Walnut Avenue | SSSC | AM | 2 (59) | A (F) | 2 (62) | A (F) |
| | | PM | 1 (45) | A (E) | 1 (46) | A (E) |
| Walnut Avenue/Hallwood Boulevard | AWSC | AM | 8 | A | 7 | A |
| | | PM | 7 | A | 7 | A |
| Hallwood Boulevard/Hooper Road | AWSC | AM | 8 | A | 7 | A |
| | | PM | 7 | A | 7 | A |
| Notes: SSSC = side street stop controlled. AWSC = all-way stop controlled. Bold indicates unacceptable operations. ¹ Average delay (rounded to the nearest second). For all-way stop controlled intersections, average delay is the weighted average for all movements. For side-street stop controlled intersections, both the intersection average delay and worst movement average delay (in parentheses) is reported. | | | | | | |
| Source: Fehr & Peers, 2021. | | | | | | |

The foregoing revision presents a minor formatting clarification, and does not affect the analysis or conclusions presented within the Draft EIR.

The discussion on page 4.5-21 of the Draft EIR is hereby revised as follows:

The County shall condition the project, if approved, to require the applicant to fully construct the following improvements:

- The SR 20/Kibbe Road intersection does not meet the peak hour signal warrant under Existing Plus Project Conditions. The applicant shall install a right turn pocket on the eastbound approach of the SR 20/Kibbe Road intersection which would result in acceptable LOS E operations. The improvement would be a fully funded project cost. It should be noted that the proposed project would include the installation of a traffic signal at the SR 20/Kibbe Road intersection, following approval by Caltrans. Installation of a single-lane roundabout control with a shared left/through/right turn lane on all approaches is also be considered for the proposed project. Improvements would be fully funded project costs.
- The SACOG MTP/SCS identifies installation of a traffic signal at SR 20/Loma Rica Road as a project to be completed between 2031 and 2035, with Yuba County listed as the lead agency. The peak hour traffic signal warrant analysis showed



that the intersection meets the warrant under existing conditions during the AM and PM peak hours. Installation of a traffic signal at SR 20/Loma Rica Road would improve operations to LOS C in the AM peak hour under Existing Plus Project Conditions. The Countywide Traffic Impact Fee Program identified the installation of the traffic signal within the Impact Fee Study. Therefore, because intersection operations are already deficient under existing conditions, the proposed project would be required to pay a fair share contribution of 4.4 percent to the Countywide Traffic Impact Fee Program (see Appendix G).¹

The foregoing revision is for clarification purposes only, and does not affect the analysis or conclusions presented within the Draft EIR.

In addition, Mitigation Measure 4.5-3(a) on page 4.5-25 of the Draft EIR is hereby revised as follows:

4.5-3(a) *Prior to issuance of construction permits, the project applicant shall prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Yuba County Community Development and Services Agency, and Caltrans. The plan shall include (but not be limited to) items such as:*

- *Guidance on the number and size of trucks per day entering and leaving the project site;*
- *Identification of arrival/departure times that would minimize traffic impacts;*
- *Approved truck circulation patterns;*
- *Locations of staging areas;*
- *Locations of employee parking and methods to encourage carpooling;*
- *Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);*
- *Criteria for use of flaggers and other traffic controls;*
- *Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;*
- *Monitoring for roadbed damage and timing for completing repairs;*
- *Limitations on construction activity during peak/holiday weekends and special events;*
- *Preservation of emergency vehicle access;*
- *Coordination of construction activities with construction of other projects that occur concurrently in Yuba County to minimize potential additive construction traffic disruptions, avoid duplicative efforts (e.g., multiple occurrences of similar signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs);*
- *Implementation of Caltrans provided lane closure requirements to reduce potential public delay impacts;*
- *Removing traffic obstructions during emergency evacuation events; and*
- *Providing a point of contact for Yuba County residents and guests to obtain construction information, have questions answered, and convey complaints.*



The CTMP shall be developed such that the following minimum set of performance standards is achieved throughout project construction. It is anticipated that additional performance standards will be developed once details of project construction are better known.

- Delivery trucks do not idle/stage on SR 20.
- SR 20 and Kibbe Road do not feature any construction-related lane closures on peak activity days.
- All construction employees shall park in designated lots owned by the project applicant or on private lots otherwise arranged for by the project applicant.
- Roadways, unmarked crosswalks, and bicycle facilities (e.g., roadway shoulders that could be used by bicyclists) shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety.

The foregoing revision amplifies the efficacy of the Mitigation Measure, but does not identify any new or more severe impacts. Thus, the revision does not affect the analysis or conclusions presented within the Draft EIR.

Initial Study

Page 30 of the Initial Study is hereby revised as follows:

- X-1. *Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the RWRQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the SWRCB RWQCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the Project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to the Director of Public Works/County Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.*

The foregoing revision corrects a minor typographical error, and does not affect the analysis or conclusions presented within the Initial Study or the Draft EIR.



**Table 2-1
 Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|--|
| <i>4.2 Biological Resources</i> | | | |
| <p>4.2-2 Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) or any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS through direct removal, filling, hydrological interruption, or other means.</p> | S | <p>4.2-2(a) <i>Prior to construction, the project applicant shall submit an Aquatic Resources Delineation Report to the USACE and RWQCB to determine if the seasonal wetlands, roadside ditches, and agricultural ditches would be regulated by the USACE under Section 404 of the Clean Water Act and/or by the <u>RWQCB</u> Regional Water Board under Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act. If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are not regulated under State and federal laws, further mitigation is not required.</i></p> <p><i>If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are regulated under State and federal laws, the project applicant shall obtain the required permits and implement any required compensation for the loss of waters of the U.S. and/or waters of the State. The actual mitigation ratio and associated credit acreage shall be based on USACE and RWQCB permitting, which will dictate the ultimate compensation for permanent or temporary impacts to waters of the U.S./waters of the State. RWQCB and USACE determinations, as well as proof of required permits, if any, shall be submitted to the Yuba County Community Development and Services Agency for review.</i></p> | LS |
| <i>4.3 Cultural and Tribal Cultural Resources</i> | | | |
| <p>4.3-3 Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public</p> | S | <p>4.3-3(a) <i>Implement Mitigation Measure 4.3-2 4.</i></p> | LS |



**Table 2-1
 Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|--|--|
| Resources Code, Section 21074. | | | |
| <i>4.5 Transportation</i> | | | |
| <p>4.5-3 Substantially increase hazards to vehicle safety due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).</p> | S | <p><i>4.5-3(a) Prior to issuance of construction permits, the project applicant shall prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Yuba County Community Development and Services Agency, and Caltrans. The plan shall include (but not be limited to) items such as:</i></p> <ul style="list-style-type: none"> • <i>Guidance on the number and size of trucks per day entering and leaving the project site;</i> • <i>Identification of arrival/departure times that would minimize traffic impacts;</i> • <i>Approved truck circulation patterns;</i> • <i>Locations of staging areas;</i> • <i>Locations of employee parking and methods to encourage carpooling;</i> • <i>Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);</i> • <i>Criteria for use of flaggers and other traffic controls;</i> • <i>Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;</i> • <i>Monitoring for roadbed damage and timing for completing repairs;</i> • <i>Limitations on construction activity during peak/holiday weekends and special events;</i> • <i>Preservation of emergency vehicle access;</i> | LS |



**Table 2-1
 Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|--------|---|---|--|
| | | <ul style="list-style-type: none"> • <i>Coordination of construction activities with construction of other projects that occur concurrently in Yuba County to minimize potential additive construction traffic disruptions, avoid duplicative efforts (e.g., multiple occurrences of similar signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs);</i> • <i><u>Implementation of Caltrans provided lane closure requirements to reduce potential public delay impacts;</u></i> • <i>Removing traffic obstructions during emergency evacuation events; and</i> • <i>Providing a point of contact for Yuba County residents and guests to obtain construction information, have questions answered, and convey complaints.</i> <p><i>The CTMP shall be developed such that the following minimum set of performance standards is achieved throughout project construction. It is anticipated that additional performance standards will be developed once details of project construction are better known.</i></p> <ul style="list-style-type: none"> • <i>Delivery trucks do not idle/stage on SR 20.</i> • <i>SR 20 and Kibbe Road do not feature any construction-related lane closures on peak activity days.</i> • <i>All construction employees shall park in designated lots owned by the project applicant or</i> | |



**Table 2-1
 Summary of Impacts and Mitigation Measures**

| Impact | Level of Significance Prior to Mitigation | Mitigation Measures | Level of Significance After Mitigation |
|---|---|---|--|
| | | <p>on private lots otherwise arranged for by the project applicant.</p> <ul style="list-style-type: none"> Roadways, unmarked crosswalks, and bicycle facilities (e.g., roadway shoulders that could be used by bicyclists) shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety. | |
| <i>Initial Study: X. Hydrology and Water Quality</i> | | | |
| <p>a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?</p> | S | <p>X-1. Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the RWRQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the SWRCB <u>RWQCB</u>. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the Project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to the Director of Public Works/County Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</p> | LS |



4. Mitigation Monitoring and Reporting Program

4. MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the SR 20/Kibbe Road Intersection Project (proposed project). The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Environmental Impact Report (EIR) for the proposed project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR prepared for the proposed project. This MMRP is intended to be used by Yuba County staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR.

The EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by Yuba County. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP.



4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.



**MITIGATION MONITORING AND REPORTING PROGRAM
 SR 20/Kibbe Road Intersection Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|-----------------------------------|--|--|---|--|----------|
| 4.2 – Biological Resources | | | | | |
| 4.2-1 | Would the project 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 CDFW or USFWS. | <p><i>Vernal Pool Fairy Shrimp</i></p> <p>4.2-1(a) <i>The project applicant shall comply with all construction site Best Management Practices (BMPs) specified in the Storm Water Pollution Prevention Plan (SWPPP), as required in Mitigation Measure X-1 of the Initial Study prepared for the proposed project (see Appendix A [of the Draft EIR]), and any other permit conditions to minimize the introduction of construction related contaminants and mobilization of sediment in wetlands and non-wetland waters in and adjacent to the project site. These BMPs will address soil stabilization, sediment control, wind erosion control, vehicle tracking control, non-stormwater management, and waste management practices. The BMPs will be based on the best conventional and best available technology. Prior to issuance of grading permits, the SWPPP shall be prepared and submittal for review and approval to the RWQCB. In addition, if a Clean Water Act Section 404 permit is required for the project, the USACE will consult with the USFWS, pursuant to Section 7 of the FESA, regarding potential indirect impacts to vernal pool fairy shrimp as a result of project activities. The project applicant will comply with any mitigation measures identified by USACE and USFWS as a result of this consultation.</i></p> | <p>Yuba County Community Development and Services Agency</p> <p>RWQCB</p> | <p>SWPPP prepared prior to issuance of grading permits, and implemented during project construction.</p> | |



**MITIGATION MONITORING AND REPORTING PROGRAM
 SR 20/Kibbe Road Intersection Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|---------------|--------|--|--|---|----------|
| | | <p><i>Nesting Birds and Raptors</i></p> <p><i>4.2-1(b) Where vegetation removal is required to construct project features, the project applicant shall conduct this activity during the nonbreeding season for migratory birds and raptors (generally between September 1 and February 28), to the extent feasible.</i></p> <p><i>If construction activities (including vegetation removal) cannot be confined to the nonbreeding season, the project applicant shall retain a qualified wildlife biologist with knowledge of the relevant species specific to the area to conduct nesting surveys before the start of construction. The migratory bird and raptor nesting surveys shall include a minimum of two separate surveys to look for active migratory bird and raptor nests. Surveys shall include a search of all trees and shrubs that provide suitable nesting habitat in the construction area. In addition, a 0.5-mile area around the construction area shall be surveyed for Swainson's hawk, a 500-foot area around the construction area shall be surveyed for nesting raptors, and a 50-foot area around the construction area shall be surveyed for songbirds. One survey should occur within 14 days prior to construction and the second survey within 48 hours prior to the start of construction or vegetation removal. If no active nests are detected during these surveys, no additional measures are required. Survey results shall be submitted for review and</i></p> | <p>Yuba County Community Development and Services Agency</p> | <p>Prior to the initiation of construction.</p> | |



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 SR 20/Kibbe Road Intersection Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|---------------|--|---|--|-------------------------------|----------|
| | | <p><i>approval to the Yuba County Community Development and Services Agency.</i></p> <p><i>If an active nest is found in the survey area, a no-disturbance buffer shall be established around the nest site to avoid disturbance or destruction of the nest until the end of the breeding season (August 31) or until after a qualified wildlife biologist determines that the young have fledged and moved out of the project site (this date varies by species). The extent of these buffers shall be determined by the biologist in coordination with USFWS and/or CDFW as applicable, and will depend on the level of construction disturbance, line-of-sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. Suitable buffer distances may vary between species.</i></p> | | | |
| 4.2-2 | <p>Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) or any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS through direct removal,</p> | <p>4.2-2(a) <i>Prior to construction, the project applicant shall submit an Aquatic Resources Delineation Report to the USACE and RWQCB to determine if the seasonal wetlands, roadside ditches, and agricultural ditches would be regulated by the USACE under Section 404 of the Clean Water Act and/or by the RWQCB under Section 401 of the Clean Water Act or the Porter-Cologne Water Quality Control Act. If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are not regulated under State and federal laws, further mitigation is not required.</i></p> | <p>Yuba County Community Development and Services Agency USACE RWQCB</p> | <p>Prior to construction.</p> | |



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 SR 20/Kibbe Road Intersection Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|---|---|--|---|---|-----------------|
| | filling, hydrological interruption, or other means. | <p><i>If the RWQCB and/or the USACE determines that the wetlands and non-wetland waters are regulated under State and federal laws, the project applicant shall obtain the required permits and implement any required compensation for the loss of waters of the U.S. and/or waters of the State. The actual mitigation ratio and associated credit acreage shall be based on USACE and RWQCB permitting, which will dictate the ultimate compensation for permanent or temporary impacts to waters of the U.S./waters of the State. RWQCB and USACE determinations, as well as proof of required permits, if any, shall be submitted to the Yuba County Community Development and Services Agency for review.</i></p> <p>4.2-2(b) Implement Mitigation Measure 4.2-1(a).</p> | See Mitigation Measure 4.2-1(a). | See Mitigation Measure 4.2-1(a). | |
| Chapter 4.3 – Cultural and Tribal Cultural Resources | | | | | |
| 4.3-2 | Would the project cause a substantial adverse change in the significance of a unique archeological resource pursuant to CEQA Guidelines, Section 15064.5 or disturb human remains, including those interred | <p>4.3-2 <i>The following requirements shall be included via notation on all project improvement plans prior to the issuance of grading permits, to the satisfaction of the Yuba County Community Development and Services Agency.</i></p> <p><i>In the event subsurface deposits believed to be cultural or human in origin are discovered during construction, all work shall halt within a 50-foot radius of the discovery. A qualified professional archaeologist, meeting the</i></p> | <p>Yuba County Community Development and Services Agency</p> <p>Yuba County Coroner</p> <p>NAHC</p> | Noted on improvement plans prior to the issuance of grading permits, and implemented during construction. | |



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 SR 20/Kibbe Road Intersection Project**

| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
|---------------|----------------------------------|--|-------------------|-------------------------|----------|
| | outside of dedicated cemeteries. | <p><i>Secretary of the Interior's Professional Qualification Standards for precontact and historic archaeologist, shall be retained by the applicant to evaluate the significance of the find, and shall have the authority to modify the no-work radius as appropriate, using professional judgment. The following notifications shall apply, depending on the nature of the find:</i></p> <ul style="list-style-type: none"> <i>• If the professional archaeologist determines that the find does not represent a cultural resource, work may resume immediately, and agency notifications are not required.</i> <i>• If the professional archaeologist determines that the find does represent a cultural resource from any time period or cultural affiliation, he or she shall immediately notify Yuba County and applicable landowner. The project applicant shall consult on a finding of eligibility and implement appropriate treatment measures, if the find is determined to be a Historical Resource under CEQA, as defined in Section 15064.5(a) of the CEQA Guidelines. Work shall not resume within the no-work radius until the applicant, through consultation as appropriate and concurrence with the County, determines that the site either: 1) is not a historical resource under CEQA, as defined in Section</i> | | | |



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|---------------|--------|--|-------------------|-------------------------|----------|
| | | <p><i>15064.5(a) of the CEQA Guidelines; or 2) that the treatment measures have been completed to the County's satisfaction.</i></p> <ul style="list-style-type: none"> <i>If the find includes human remains, or remains that are potentially human, he or she shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641). The archaeologist shall notify the Yuba County Coroner (per Section 7050.5 of the Health and Safety Code). The provisions of Section 7050.5 of the California Health and Safety Code, Section 5097.98 of the California PRC, and AB 2641 shall be implemented. If the Coroner determines the remains are Native American and not the result of a crime scene, the Coroner shall notify the NAHC, which then shall designate a Native American Most Likely Descendant (MLD) for the proposed project (Section 5097.98 of the PRC). The designated MLD shall have 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains. If the landowner does not agree with the recommendations of the MLD, the NAHC shall mediate (Section 5097.94 of the PRC). If an agreement is not</i> | | | |



| MITIGATION MONITORING AND REPORTING PROGRAM SR 20/Kibbe Road Intersection Project | | | | | |
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| Impact Number | Impact | Mitigation Measures | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <i>reached, the landowner shall rebury the remains where they shall not be further disturbed (Section 5097.98 of the PRC). The burial shall also include either recording the site with the NAHC or the appropriate information center, using an open space or conservation zoning designation or easement, or recording a reinternment document with Yuba County (AB 2641). Work shall not resume within the no-work radius until the County, through consultation as appropriate, determines that the treatment measures have been completed to their satisfaction.</i> | | | |
| 4.3-3 | Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code, Section 21074. | <p>4.3-3(a) <i>Implement Mitigation Measure 4.3-2.</i></p> <p>4.3-3(b) <i>Prior to initiation of ground-disturbing activities associated with the proposed project, a consultant and construction worker tribal cultural resources awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with interested Native American Tribes. The brochure shall be distributed and the training shall be conducted in coordination with qualified cultural resources specialists and Native American Representatives and Monitors from culturally affiliated Native American Tribes before any stages of project implementation and construction activities begin on the project site. The program shall</i></p> | <p>See Mitigation Measure 4.3-2.</p> <p>Yuba County Community Development and Services Agency</p> | <p>See Mitigation Measure 4.3-2.</p> <p>Prior to initiation of ground-disturbing activities.</p> | |



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| | | <p><i>include relevant information regarding sensitive tribal cultural resources, including applicable regulations, protocols for avoidance, and consequences of violating State laws and regulations. The worker cultural resources awareness program shall also describe appropriate avoidance and minimization measures for resources that have the potential to be located on the project site and shall outline what to do and whom to contact if any potential tribal cultural resources are encountered. The program shall also underscore the requirement for confidentiality and culturally-appropriate treatment of any find of significance to Native Americans and behaviors, consistent with Native American Tribal values. Documentation of the brochure and training program (i.e., a sign-in sheet) shall be retained at the project site and shall be submitted with applicable reports to the Yuba County Community Development and Services Agency.</i></p> | | | |
| 4.3-4 | <p>Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p> | <p>4.3-4 <i>Prior to the issuance of grading permits, the following language shall be included via notation on the Improvement Plans: "Should construction or grading activities result in the discovery of unique paleontological resources, all work within 100 feet of the discovery shall cease. The Yuba County Community Development and Services Agency shall be notified, and the resources shall be examined by a qualified archaeologist, paleontologist, or historian, at the developer's expense, for the purpose of recording, protecting, or curating</i></p> | <p>Yuba County Community Development and Services Agency</p> | <p>Noted on improvement plans prior to the issuance of grading permits, and implemented during construction.</p> | |



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| | | <i>the discovery as appropriate. The archaeologist, paleontologist, or historian shall submit to the Community Development and Services Agency for review and approval a report of the findings and method of curation or protection of the resources. Work may only resume in the area of discovery when the preceding work has occurred."</i> | | | |
| Chapter 4.4 – Noise | | | | | |
| 4.4-1 | Generation of a substantial temporary increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. | <p>4.4-1 <i>Prior to issuance of a grading permit, the project contractor shall prepare a construction noise management plan that identifies measures to be taken to minimize construction noise on surrounding sensitive land uses and include specific noise management measures to be included within the project plans and specifications, subject to review and approval by the Yuba County Community Development and Services Agency. The project contractor shall demonstrate, to the satisfaction of the County, that the project complies with the following:</i></p> <ul style="list-style-type: none"> • <i>Noise-generating construction activities, including truck traffic coming to and from the project site for any purpose, shall be limited to the hours outlined in Section 8.20.310 of the County's Code of Ordinances, specifically, construction activities shall be prohibited outside of the hours of 7:00 AM to 10:00 PM.</i> | Yuba County Community Development and Services Agency | Prior to issuance of a grading permit, and implemented during construction. | |



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| | | <ul style="list-style-type: none"> • All noise-producing project equipment and vehicles using internal-combustion engines shall be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specifications. Mobile or fixed "package" equipment (e.g., arc welders, air compressors) shall be equipped with shrouds and noise-control features that are readily available for that type of equipment. • All mobile or fixed noise-producing equipment used on the project site that are regulated for noise output by a federal, State, or local agency shall comply with such regulations while in the course of project activity. • Electrically powered equipment shall be used instead of pneumatic or internal combustion-powered equipment, where feasible. • Material stockpiles and mobile equipment staging, parking, and maintenance areas shall be located as far as practicable from noise-sensitive receptors. • Construction site and access road speed limits shall be established and enforced during the construction period. | | | |



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| | | <ul style="list-style-type: none"> The use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only. Project-related public address or music systems shall not be audible at any adjacent receptor. | | | |
| Chapter 4.5 – Transportation | | | | | |
| 4.5-1 | Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. | 4.5-1 Prior to approval of Improvement Plans, the project applicant shall show on the plans construction of an eastbound bus pullout on the far side of the SR 20/Kibbe Road intersection (i.e., just east of the intersection) to eliminate the conflict between school buses and right-turning vehicles. Design of the eastbound bus pullout shall be included on project Improvement Plans to be reviewed and approved by the Yuba County Community Development and Services Agency, the County Engineer, and Caltrans. | Yuba County Community Development and Services Agency Yuba County Engineer Caltrans | Prior to approval of improvement plans. | |
| 4.5-3 | Would the project substantially increase hazards to vehicle safety due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). | 4.5-3(a) Prior to issuance of construction permits, the project applicant shall prepare a Construction Traffic Management Plan (CTMP) to the satisfaction of the Yuba County Community Development and Services Agency, and Caltrans. The plan shall include (but not be limited to) items such as: <ul style="list-style-type: none"> Guidance on the number and size of trucks per day entering and leaving the project site; Identification of arrival/departure times that would minimize traffic impacts; | Yuba County Community Development and Services Agency Caltrans | Prior to issuance of construction permits, and implemented during project construction. | |



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| | | <ul style="list-style-type: none"> • <i>Approved truck circulation patterns;</i> • <i>Locations of staging areas;</i> • <i>Locations of employee parking and methods to encourage carpooling;</i> • <i>Methods for partial/complete street closures (e.g., timing, signage, location and duration restrictions);</i> • <i>Criteria for use of flaggers and other traffic controls;</i> • <i>Preservation of safe and convenient passage for bicyclists and pedestrians through/around construction areas;</i> • <i>Monitoring for roadbed damage and timing for completing repairs;</i> • <i>Limitations on construction activity during peak/holiday weekends and special events;</i> • <i>Preservation of emergency vehicle access;</i> • <i>Coordination of construction activities with construction of other projects that occur concurrently in Yuba County to minimize potential additive construction traffic disruptions, avoid duplicative efforts (e.g., multiple occurrences of similar signage), and maximize effectiveness of traffic mitigation measures (e.g., joint employee alternative transportation programs);</i> • <i>Implementation of Caltrans provided lane closure requirements to reduce potential public delay impacts;</i> | | | |



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| | | <ul style="list-style-type: none"> • <i>Removing traffic obstructions during emergency evacuation events; and</i> • <i>Providing a point of contact for Yuba County residents and guests to obtain construction information, have questions answered, and convey complaints.</i> <p><i>The CTMP shall be developed such that the following minimum set of performance standards is achieved throughout project construction. It is anticipated that additional performance standards will be developed once details of project construction are better known.</i></p> <ul style="list-style-type: none"> • <i>Delivery trucks do not idle/stage on SR 20.</i> • <i>SR 20 and Kibbe Road do not feature any construction-related lane closures on peak activity days.</i> • <i>All construction employees shall park in designated lots owned by the project applicant or on private lots otherwise arranged for by the project applicant.</i> • <i>Roadways, unmarked crosswalks, and bicycle facilities (e.g., roadway shoulders that could be used by bicyclists) shall be maintained clear of debris (e.g., rocks) that could otherwise impede travel and impact public safety.</i> | | | |



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|----------------------|---|--|---|--|-----------------|
| | | 4.5-3(b) <i>Prior to issuance of construction permits, the maintenance and removal of trees in the vicinity of the SR 20/Kibbe Road intersection, as well as the relocation of picnic tables and signs in order to not hinder sight distance of the drivers on the westbound approach of the proposed roadway realignment shall be conducted. The project applicant shall formulate an agreement with adjacent property owners which would allow for off-site improvements to occur to the satisfaction of the Yuba County Community Development and Services Agency, and Caltrans.</i> | Yuba County Community Development and Services Agency Caltrans | Prior to issuance of construction permits. | |
| Initial Study | | | | | |
| X(a) | Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality during construction. | X-1. <i>Prior to issuance of grading permits, the contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the RWQCB. The contractor shall file the Notice of Intent (NOI) and associated fee to the RWQCB. The SWPPP shall serve as the framework for identification, assignment, and implementation of BMPs. The contractor shall implement BMPs to reduce pollutants in stormwater discharges to the maximum extent practicable. Construction (temporary) BMPs for the Project may include, but are not limited to: fiber rolls, straw bale barrier, straw wattles, storm drain inlet protection, velocity dissipation devices, silt fences, wind erosion control, stabilized construction entrance, hydroseeding, revegetation techniques, and dust control measures. The SWPPP shall be submitted to</i> | Director of Public Works/County Engineer | Prior to issuance of grading permits, and implemented during construction. | |



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| | | <p><i>the Director of Public Works/County Engineer for review and approval and shall remain on the project site during all phases of construction. Following implementation of the SWPPP, the contractor shall subsequently demonstrate the SWPPP's effectiveness and provide for necessary and appropriate revisions, modifications, and improvements to reduce pollutants in stormwater discharges to the maximum extent practicable.</i></p> | | | |

