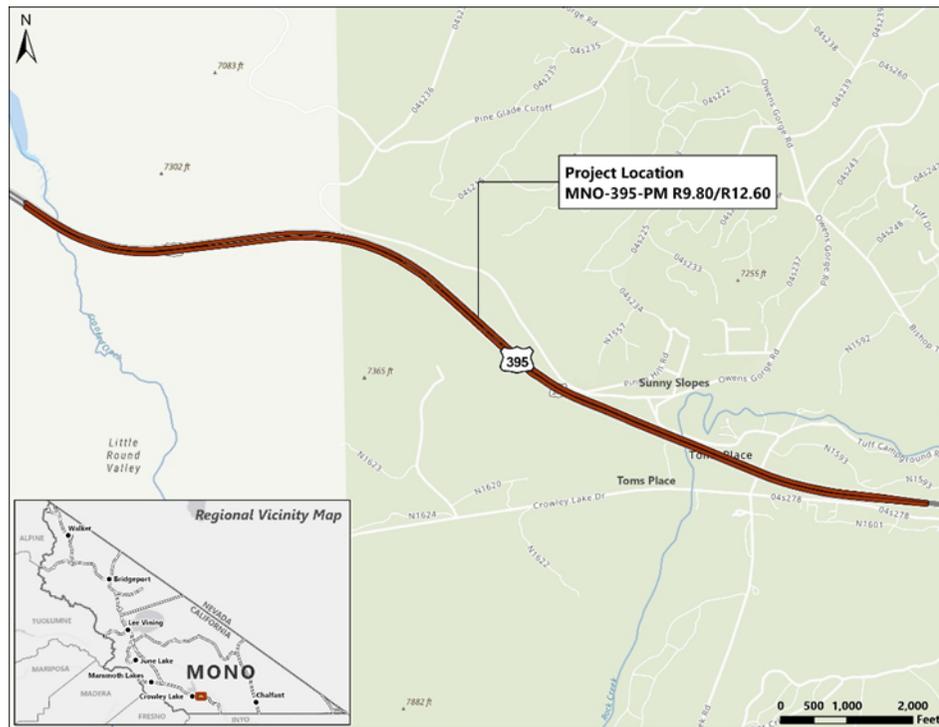


# Rock Creek Pavement

Mono County, California  
District 9-MNO-395-PM R9.8/R12.6  
EA/Project ID: 09-37880/09190000002

## Initial Study with Proposed Negative Declaration

Volume 1 of 2



Prepared by the  
State of California Department of Transportation

November 2021



## General Information About This Document

### ***What's in this document:***

The California Department of Transportation (Caltrans) has prepared this Initial Study, which examines the potential environmental impacts of alternatives being considered for the proposed project in Mono County in California. The document explains why the project is being proposed, the alternatives being considered for the project, the existing environment that could be affected by the project, potential impacts of each of the alternatives, and proposed avoidance, minimization, and/or mitigation measures.

### ***What you should do:***

- Please read the document. Additional copies of the document and the related technical studies are available for review at the Caltrans District 9 Office at 500 South Main Street, Bishop, CA 93514.
- Tell us what you think. If you have any comments regarding the proposed project, please send your written comments to Caltrans by the deadline. Submit comments via U.S. mail to: Kirsten Helton, District 9 Environmental Division, California Department of Transportation, 500 South Main Street, Bishop, CA 93514. Submit comments via email to: [Kirsten.Helton@dot.ca.gov](mailto:Kirsten.Helton@dot.ca.gov).
- Submit comments by the deadline: January 6, 2022.

### ***What happens next:***

After comments are received from the public and the reviewing agencies, Caltrans may 1) give environmental approval to the proposed project, 2) do additional environmental studies, or 3) abandon the project. If the project is given environmental approval and funding is appropriated, Caltrans could design and construct all or part of the project.

Printing this document: To save paper, this document has been set up for two-sided printing (to print the front and back of a page). Blank pages occur where needed throughout the document to maintain proper layout of the chapters and appendices.

For individuals with sensory disabilities, this document can be made available in Braille, in large print, on audiocassette, or on computer disk. To obtain a copy in one of these alternate formats, please write to or call Caltrans, Attention: Kirsten Helton, District 09 Environmental Division, 500 South Main Street, Bishop, CA 93514, Phone Number 760-874-8333 (Voice), or use the California Relay Service 1-800-735-2929 (TTY), 1-800-735-2929 (Voice), or 711.

Rehabilitate Pavement on U.S. Highway 395 in Mono County from 0.5 mile south of Lower Rock Creek Road (postmile R9.8) to 1.3 miles south of Crowley Lake Drive overcrossing (postmile R12.6).

**INITIAL STUDY  
with Proposed Negative Declaration**

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA  
Department of Transportation  
and

Responsible Agencies: California Transportation Commission, California Department of Fish and Wildlife, Lahontan Regional Water Quality Control Board, U.S. Army Corps of Engineers, Los Angeles Department of Water and Power

*Dennee Alcalá*

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Deputy District Director, Planning and Environmental  
California Department of Transportation  
CEQA Lead Agency

12/01/2021

\_\_\_\_\_  
Date

The following individual can be contacted for more information about this document:

Kirsten Helton, 500 S Main Street, Bishop CA 93514 760-874-8333



**DRAFT**  
**Proposed Negative Declaration**  
Pursuant to: Division 13, Public Resources Code

**District-County-Route-Post Mile:** 09-MNO-395-PM R9.8/R12.6

**EA/Project Number:** 09-37880/0919000002

**Project Description**

The California Department of Transportation (Caltrans) proposes to rehabilitate U.S. Highway 395 for 2.8 miles in Mono County, from 0.5 miles south of Lower Rock Creek Rd. (PM R9.8) to 1.3 miles south of Crowley Lake Dr. overcrossing structure (PM R12.6).

**Determination**

An Initial Study has been prepared by Caltrans, District 9.

On the basis of this study, it is determined that the proposed action with the incorporation of the identified mitigation measures will not have a significant effect on the environment for the following reasons:

- The proposed project would have no impacts upon Agriculture and Forest Resources, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, Wildfire, and Biological Species
- The proposed project would have less than significant impacts to Aesthetics and Visual Resources, Noise, Riparian Habitat, and Fish Migration

*Dennee Alcalá*  
Dennee Alcalá  
Deputy District Director, Planning and Environmental  
District 9  
California Department of Transportation

12/01/2021  
Date

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# **Chapter 1**      **Proposed Project**

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## **1.1 Introduction**

The State of California, Department of Transportation (Caltrans) proposes to rehabilitate pavement on all travel lanes on U.S. Highway 395 for 2.8 miles in Mono County, from 0.5 miles south of Lower Rock Creek Rd. (postmile R9.8) to 1.3 miles south of Crowley Lake Dr. overcrossing structure (postmile R12.6). In addition to pavement rehabilitation, the project work would upgrade guardrail to current standards, extend an existing chain-up area, and make traffic safety and operational improvements to the intersection of US 395 and Owens Gorge Rd. and Lower Rock Creek Rd.

One project build alternative and one no-build alternative are proposed. There are four design options contained within the build alternative. The difference between design options is in the pavement strategy proposed, and all design options would have the same impact upon environmental resources. At this time, Caltrans has not identified a preferred alternative. This decision will be made after consideration of public comments.

## **1.2 Purpose and Need**

The project “purpose” is a set of objectives the project intends to meet. The project “need” is the transportation deficiency that the project was initiated to address.

### **1.2.1 Purpose**

The purpose of this project is to restore the pavement to good condition to extend the service life, improve ride quality, and reduce ongoing maintenance costs. The project will make improvements to the intersection of US 395 and Owens Gorge Road/Rock Creek Road and will extend an existing chain-up area to improve the operation and safety of US 395. The project will replace existing highway appurtenances with new appurtenances that meet current standards.

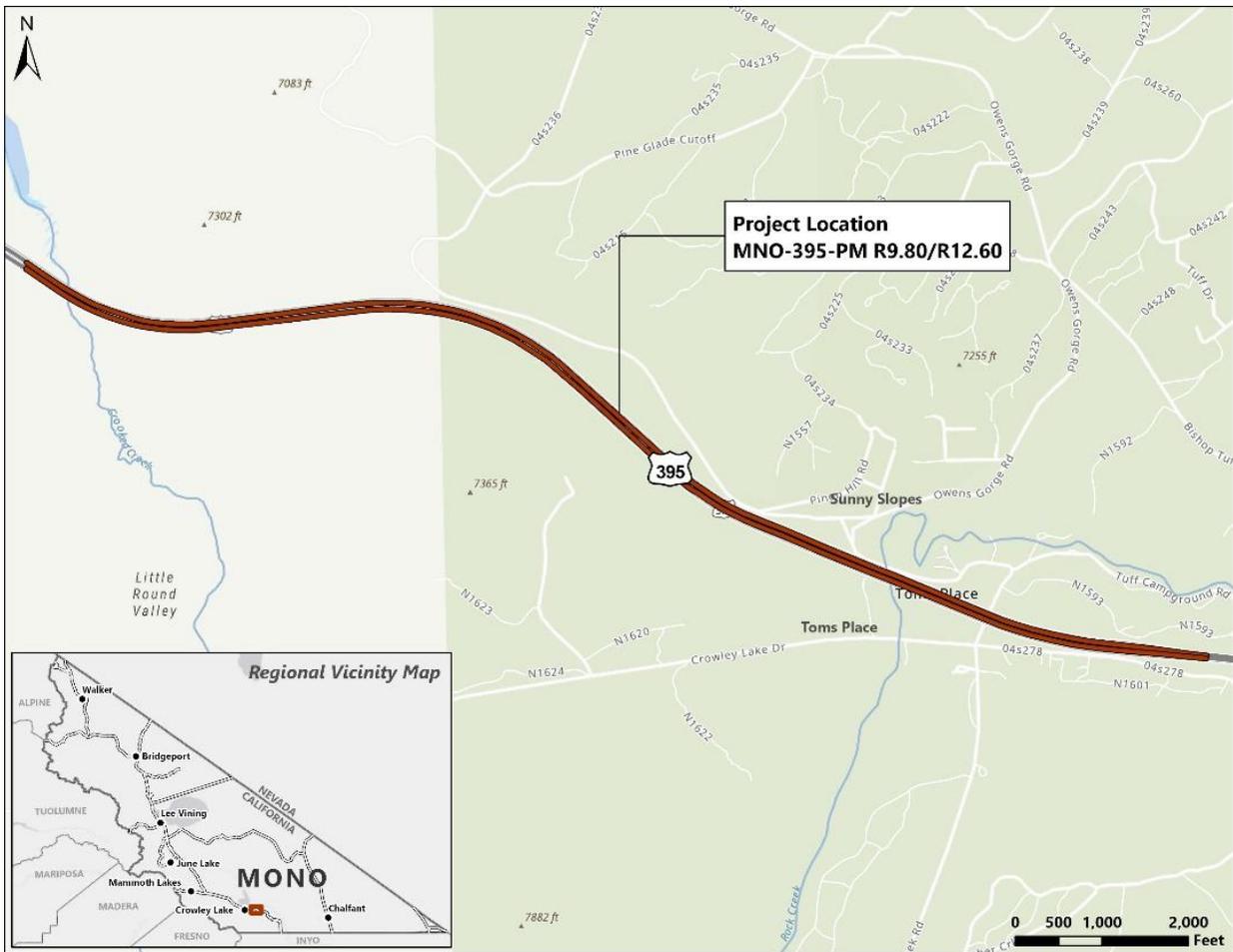
### **1.2.2 Need**

The pavement is showing major distress and lesser strategies are no longer a cost-effective maintenance strategy. Operational constraints at the US 395 and Owens Gorge Road/Rock Creek Road intersection are contributing to higher than the Statewide average of accidents at this location. There are a number of existing highway features within this section of highway that are failing or obsolete.

### 1.3 Project Description

The proposed project would rehabilitate pavement on all travel lanes on U.S. Highway 395 for 2.8 miles in Mono County, from 0.5 miles south of Lower Rock Creek Rd. (postmile R9.8) to 1.3 miles south of Crowley Lake Dr. overcrossing structure (postmile R12.6). In addition to pavement rehabilitation, the project would replace existing metal beam guardrail; with current standard Midwest Guardrail System, extend the existing northbound chain-up area just north of Owens Gorge Rd., and make traffic safety and operational improvements to the intersection of US 395 and Owens Gorge Rd./Rock Creek Rd.

Figure 1-1 Project Location and Vicinity Map



## 1.4 Project Alternatives

There is one build alternative with four design options and one no-build alternative for the proposed project. Design options address various methods for the application of pavement and have the same impacts to environmental resources.

### 1.4.1 Build Alternatives

All four design options under the build alternative would reconstruct the existing pavement on U.S. 395 throughout the project limits, which will extend service life and improve ride quality, while reducing road maintenance costs. Included in all design options are upgrades to guardrail, extension of the northbound chain-up area just north of Owens Gorge Rd, and traffic safety and operational improvements to the intersection of US 395 and Owens Gorge Rd./Rock Creek Rd.

#### ***Design Features of the Build Alternative***

- US 395/Owens Gorge Rd./ Rock Creek Rd. intersection improvements: add right turn pockets for vehicle deceleration, median acceleration lanes, right turn acceleration lanes, extend existing northbound left turn pocket, and add a two-foot shoulder. Right turn pockets and right turn acceleration lanes would be constructed to standard 12 ft. lanes, and 4 ft. outside shoulders. A 6 ft. bicycle lane will be included with the right turn pockets and right turn acceleration lanes. The median acceleration lanes would be constructed to a standard width of 12 ft. with a 2 ft. left shoulder. Existing light standards would be relocated beyond the clear recovery zone (minimum 20 ft beyond edge of pavement). Adding these elements will result in widening the facility at the intersection which will result in roadway excavation. This excavated material will be used to construct 4:1 ft. or flatter embankments on the northbound side of the highway. Excess material will need to be hauled off or could be used to flatten slopes on the northbound side of the highway. There are two culverts within the intersection improvements that will need to be extended due to the widening. These do not flow water year-round. Flared end sections and rock slope protection will be placed at the extended outlets. Erosion control would be placed on the new cut and fill slopes.
- Replace existing metal beam guardrail with current standard Midwest Guardrail System throughout the project.
- The existing chain-up area just north of Owens Gorge Rd. would be extended to the north. This extension would be constructed by means of a fill slope. No retaining wall is proposed for this extension.

- Replace nonstandard drainage dike with standard dike.
- Permanent right-of-way is not required.
- Staging for construction equipment may occur both inside the existing right-of-way and possibly outside of the right-of-way on United States Forest Service land. This will require Temporary Construction Easements or Permits to Enter.

### ***Unique Features of the Build Alternative Design Options***

For the proposed project, there are four design options contained within the one build alternative:

- Design option 1 proposes a mill and fill strategy to remove and pave back 0.30' of the travel way.
- Option 2 proposes a Partial Depth Recycle of the outside lanes and provide a 0.30' hot mix asphalt overlay.
- Option 3 would provide a hot mix asphalt overlay only without any pavement removal.
- Option 4 proposes a mill and fill strategy which would remove and pave back 0.15' of the inside lanes and 0.80' of the outside lanes.

### **1.4.2 No-Build (No-Action) Alternative**

The No Build Alternative would result in continued deterioration of the pavement and additional maintenance cost and therefore does not meet the project purpose and need.

## **1.6 Alternatives Considered but Eliminated from Further Discussion**

Only one project build alternative was considered for this project. Two design options, including Full Depth Recycle (Cement) of outside lanes and overlay with Interlayer were eliminated from further consideration at this time.

## **1.7 Standard Measures and Best Management Practices Included in All Alternatives**

Caltrans includes standard specifications for the purposes of reducing impacts to the environment on every project constructed. These specifications include dust control, provisions for the handling of nesting birds, policies on

the handling of hazardous materials and construction noise levels, et cetera. These standard specifications are incorporated as project features and are included as part of the project description. The significance of impacts under CEQA resulting from the project are considered after implementation of these measures.

## 1.8 Discussion of the NEPA Categorical Exclusion

This document contains information regarding compliance with the California Environmental Quality Act (CEQA) and other state laws and regulations. Separate environmental documentation, supporting a Categorical Exclusion determination, has been prepared in accordance with the National Environmental Policy Act. When needed for clarity, or as required by CEQA, this document may contain references to federal laws and/or regulations (CEQA, for example, requires consideration of adverse effects on species identified as a candidate, sensitive, or special-status species by the U.S. National Marine Fisheries Service and the U.S. Fish and Wildlife Service—that is, species protected by the Federal Endangered Species Act).

## 1.9 Permits and Approvals Needed

The following permits, licenses, agreements, and certifications are required for project construction:

Agency	Permit/Approval	Status
Army Corps of Engineers	404	Application will be submitted during the project's final design phase.
Regional Water Quality Control Board	401 Certification/Waste Discharge Requirement permit	Application will be submitted during the project's final design phase.
California Department of Fish and Wildlife	1600 Agreement for Streambed Alteration	Application will be submitted during the project's final design phase.

# Chapter 2 CEQA Evaluation

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## 2.1 CEQA Environmental Checklist

This checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. Potential impact determinations include Significant and Unavoidable Impact, Less Than Significant with Mitigation Incorporated, Less Than Significant Impact, and No Impact. In many cases, background studies performed in connection with a project will indicate that there are no impacts to a particular resource. A “No Impact” answer reflects this determination. The questions in this checklist are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

Project features, which can include both design elements of the project and standardized measures that are applied to all or most Caltrans projects such as Best Management Practices and measures included in the Standard Plans and Specifications or as Standard Special Provisions, are considered to be an integral part of the project and have been considered prior to any significance determinations documented below.

“No Impact” determinations in each section are based on the scope, description, and location of the proposed project as well as the appropriate technical report (bound separately in Volume 2), and no further discussion is included in this document.

### 2.1.1 Aesthetics

Considering the information in the Scenic Resource Evaluation and Visual Impact Assessment memo dated October 5, 2021 the following significance determinations have been made:

Except as provided in Public Resources Code Section 21099:

Question—Would the project:	CEQA Significance Determinations for Aesthetics
a) Have a substantial adverse effect on a scenic vista?	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact

Question—Would the project:	CEQA Significance Determinations for Aesthetics
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	No Impact
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant Impact

**Affected Environment**

U.S. 395 through Mono County has long been recognized for its scenic qualities. Planning policy emphasizes the protection of visual resources along U.S. 395 and underscore the concern and sensitivity to aesthetic issues along this route.

Highway 395 through the project limits has been designated as a scenic highway by Mono County and classified as the Eastern Sierra Scenic Byway within the California Scenic Highway System. The project is within the Eastern Sierra region and is considered a sensitive corridor regarding visual resource issues. High desert, pine forests, and mountainous views are visible from the highway throughout the project area.

Mono County has provided “dark sky” rules and regulations for outdoor lighting within the county.

**Environmental Consequences**

The proposed chain up area with area lighting could impact nearby residences with light glare at night. Potential impacts to the traveling public when they pull over in the chain up area and attempt to view the night skies exist as well. Development of a lighting system that is only activated by Caltrans maintenance crews during winter storms was discussed. Crews would then turn off the lighting after the storm cleared. The availability of a storm activated lighting system was discussed however not confirmed at that time. To address the potential for impacts created by area lighting, the project

design should take into consideration a lighting system that is activated by a switch or a timer.

**Avoidance, Minimization, and/or Mitigation Measures**

VI1: Minimization - The project design should, to the extent possible, take into consideration a lighting system that is activated by a switch or a timer.

**2.1.2 Agriculture and Forest Resources**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Based on a review of land use designation within, and adjacent to, the project limit conducted by Caltrans staff on September 22, 2021, the following significance determinations have been made:

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Agriculture and Forest Resources</b>
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No impact

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Agriculture and Forest Resources</b>
c) Conflict with existing zoning, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No impact
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use?	No Impact

### 2.1.3 Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Considering the information included in the Air/Noise/Hazardous Waste/Water/Paleontology Study Memo dated August 20, 2021 the following significance determinations have been made:

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Air Quality</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	No Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations?	No Impact

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Air Quality</b>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No Impact

### 2.1.4 Biological Resources

Considering the information included in the Natural Environment Study (Minimal Impacts) dated November 17, 2021 the following significance determinations have been made:

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Biological Resources</b>
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, or National Oceanic Atmospheric Administration Fisheries?	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less Than Significant Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than Significant Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No Impact

Question—Would the project:	CEQA Significance Determinations for Biological Resources
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact

***Affected Environment***

Riparian vegetation was observed during the field reviews at or near Lower Rock Creek. There is no work planned in or near the creek. Several willows are growing off the highway, along a slope, adjacent to highway shoulders and the EP.

***Environmental Consequences***

Several avoidance measures will be implemented during de-watering activities to avoid direct impacts to native fish.

The project does not anticipate the removal riparian habitat. If the willows need to be removed coordination with CDFW will be initiated during the permitting process.

The following Best Management Practices (BMP) will minimize impacts to the project area:

- The project will adhere to the Caltrans January 2008 “Construction Site Best Management Practice (BMP) Field Manual and Troubleshooting Guide”. BMPs will include erosion and sediment control measures, and methods of permanent soil stabilization.
- Fiber rolls and/or silt fencing (with no plastic mesh) must be used to protect water resources and delineate the edge of the permanently impact area.
- Pre-construction nesting bird surveys by a qualified biologist will be conducted prior to construction if construction is scheduled to occur during the nesting season, between February and September.

***Avoidance, Minimization, and/or Mitigation Measures***

Bio 1: To the extent possible, work will be constructed between May 1st and October 15th to avoid the wet/rainy season (per Lahontan Regional Water Quality Control Board regulation).

Bio 2: Design features will minimize effects to waters and erosion

Bio 3: Environmental Sensitive Area (ESA) fencing will be installed to delineate streams and other sensitive resources

Bio 4: A full-time monitor may be required on-site during all construction activities within jurisdictional areas including the culvert extensions at Rock Creek Road/Owens Gorge Rd

Bio 5: To avoid impacts to special status plant species, any individuals found within the BSA during pre-construction surveys will be flagged for avoidance and their locations will be shared with the Resident Engineer and Contractor; a no-work buffer of up to 10 feet from flagging may be implemented as needed as determined by the Caltrans Biologist.

Bio 6: If the special status plant species is present within the proposed construction area and cannot be avoided, the Caltrans Biologist will initiate consultation with CDFW to determine the best course of action for the particular species; while consultation is in progress, a no-work buffer of 10 feet will be implemented to avoid potential impacts to the special status plant species

Bio 7: Pre-construction nesting bird surveys by a qualified biologist will be conducted prior to construction if construction is scheduled to occur during the nesting season, between February and September.

Bio 8: If special-status animals are observed during pre-construction surveys the area will be monitored during construction activities within 500 ft of the sighting.

*Bio 9:* Coordination and consultation with CDFW, ACOE, and Lahontan Regional Water Quality Control Board (LRWQCB) are in the process to obtain permits for the proposed activities with jurisdictional areas.

Bio 10: Compensatory mitigation for the permanent loss of jurisdictional streambed at the two culverts at Rock Creek Owens Gorge Rd. may be required. Approximately 0.081 acres (3,500 sq ft) may be permanently impacted. Appropriate mitigation will be implemented in coordination with CDFW and could include off-site mitigation or out-of-kind mitigation credit purchase from an approved mitigation bank.

### **2.1.5 Cultural Resources**

Considering the information included in the Section 106 Cultural Resources Screening Memo dated April 1, 2021 the following significance determinations have been made

Question—Would the project:	CEQA Significance Determinations for Cultural Resources
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	No Impact

**2.1.6 Energy**

The project scope does not include excessive consumption of energy resources nor would it impair any plan considering renewable energy or energy efficiency. The build alternative consists of pavement improvement on an existing roadway

Question—Would the project:	CEQA Significance Determinations for Energy
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	No Impact
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact

**2.1.7 Geology and Soils**

Considering the information in the Air/Noise/Hazardous Waste/Paleontology Memo dated 8/20/2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Geology and Soils
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p>	No Impact
ii) Strong seismic ground shaking?	No Impact
iii) Seismic-related ground failure, including liquefaction?	No Impact
iv) Landslides?	No Impact
b) Result in substantial soil erosion or the loss of topsoil?	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No Impact

### 2.1.8 Greenhouse Gas Emissions

Considering the information included in the Climate Change Analysis conducted on November 3, 2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Greenhouse Gas Emissions
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

**2.1.9 Hazards and Hazardous Materials**

Considering the information in the Air/Noise/Hazardous Waste/Paleontology Memo dated 8/20/2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	No Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact

Question—Would the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	No Impact

### 2.1.10 Hydrology and Water Quality

Considering the information in the Air/Noise/Hazardous Waste/Paleontology Memo dated 8/20/2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or groundwater quality?	No Impact
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:  (i) result in substantial erosion or siltation onsite or offsite;	No Impact
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite;	No Impact

Question—Would the project:	CEQA Significance Determinations for Hydrology and Water Quality
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	No Impact
(iv) impede or redirect flood flows?	No Impact
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No Impact

**2.1.11 Land Use and Planning**

Based on a review of land use designation within, and adjacent to, the project limit conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made

Question—Would the project:	CEQA Significance Determinations for Land Use and Planning
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact

**2.1.12 Mineral Resources**

Considering the information in the Air/Noise/Hazardous Waste/Paleontology Memo dated 8/20/2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Mineral Resources
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No Impact

### 2.1.13 Noise

Considering the information in the Air/Noise/Hazardous Waste/Paleontology Memo dated August 20, 2021 the following significance determinations have been made:

Question—Would the project result in:	CEQA Significance Determinations for Noise
a) Generation of a substantial temporary or permanent 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?	Less than Significant Impact
b) Generation of excessive groundborne vibration or groundborne noise levels?	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

### ***Affected Environment***

The project setting is a rural four-lane highway adjacent to the communities of Toms Place and Sunny Slopes.

### ***Environmental Consequences***

Elevated noise levels during construction activities will be noticeable by residents of Toms Place and Sunny Slopes, and users of the Toms Place Resort and Tuff Campground. Since construction activities will be confined to

daytime working hours, the regular exposure of the area to construction noise, and due to the baseline condition of a 4-lane highway, the elevation of noise levels during construction is not anticipated to create a significant impact. Post-construction noise levels will be similar to the baseline pre-project conditions.

**Avoidance, Minimization, and/or Mitigation Measures**

N1: Minimization Measure – The Caltrans public information office will contact residents and businesses of Sunny Slopes and Toms Place as well as the US Forest Service (for Tuff Campground) and owner of Toms Place Resort prior to construction so they can anticipate upcoming construction noise.

**2.1.14 Population and Housing**

Based on a review of land use designation within, and adjacent to, the project limit conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Population and Housing
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

**2.1.15 Public Services**

Based on a review of land use designation within, and adjacent to, the project limit conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made:

Question:	CEQA Significance Determinations for Public Services
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:  Fire protection?	No Impact
Police protection?	No Impact
Schools?	No Impact
Parks?	No Impact
Other public facilities?	No Impact

**2.1.16 Recreation**

Based on a review of land use designation within, and adjacent to the project limit conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Recreation
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact

### 2.1.17 Transportation

Based on a review of the project and relevant transportation policy conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Transportation
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	No Impact
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No Impact
d) Result in inadequate emergency access?	No Impact

### 2.1.18 Tribal Cultural Resources

Considering the information included in the Section 106 Cultural Resources Review memo dated April 1, 2021 the following significance determinations have been made:

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Question:	CEQA Significance Determinations for Tribal Cultural Resources
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	No Impact

<b>Question:</b>	<b>CEQA Significance Determinations for Tribal Cultural Resources</b>
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<p>No Impact</p>

### 2.1.19 Utilities and Service Systems

Considering the information in the Right of Way Data Sheet dated February 14, 2019 the following significance determinations have been made:

<b>Question—Would the project:</b>	<b>CEQA Significance Determinations for Utilities and Service Systems</b>
<p>a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<p>No Impact</p>
<p>b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<p>No Impact</p>
<p>c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</p>	<p>No Impact</p>
<p>d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<p>No Impact</p>

Question—Would the project:	CEQA Significance Determinations for Utilities and Service Systems
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact

**2.1.20 Wildfire**

Based on a review of wildfire risk within and adjacent to the project limit conducted by Caltrans staff on November 3, 2021 the following significance determinations have been made:

Question—Would the project:	CEQA Significance Determinations for Wildfire
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	No Impact

**2.1.21 Mandatory Findings of Significance**

Question:	CEQA Significance Determinations for Mandatory Findings of Significance
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Less Than Significant Impact with Mitigation
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Less Than Significant Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Less Than Significant Impact

Based upon the analyses contained in this document, this project will have a less than significant impact upon the environment when mitigation measures to reduce impacts to wetlands are incorporated.

# Appendix A Title VI Policy Statement

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STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Gavin Newsom, Governor

## DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR  
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Making Conservation  
a California Way of Life.

August 2020

### NON-DISCRIMINATION POLICY STATEMENT

The California Department of Transportation, under Title VI of the Civil Rights Act of 1964, ensures *"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."*

Caltrans will make every effort to ensure nondiscrimination in all of its services, programs and activities, whether they are federally funded or not, and that services and benefits are fairly distributed to all people, regardless of race, color, or national origin. In addition, Caltrans will facilitate meaningful participation in the transportation planning process in a nondiscriminatory manner.

Related federal statutes, remedies, and state law further those protections to include sex, disability, religion, sexual orientation, and age.

For information or guidance on how to file a complaint, or obtain more information regarding Title VI, please contact the Title VI Branch Manager at (916) 324-8379 or visit the following web page:  
<https://dot.ca.gov/programs/civil-rights/title-vi>.

To obtain this information in an alternate format such as Braille or in a language other than English, please contact the California Department of Transportation, Office of Civil Rights, at 1823 14<sup>th</sup> Street, MS-79, Sacramento, CA 95811; (916) 324-8379 (TTY 711); or at [Title.VI@dot.ca.gov](mailto:Title.VI@dot.ca.gov).

*Original signed by*  
Toks Omishakin  
Director

*"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"*

## **List of Technical Studies Bound Separately (Volume 2)**

Scenic Resource Evaluation and Visual Impact Assessment Memo  
10/5/2021

Air/Noise/Hazardous Waste/Water/Paleontology Memo 8/20/2021

Natural Environmental Study (Minimal Impacts 8/26/2021

Section 106 Cultural Resources Screening Memo 4/1/2021

Right of Way Data Sheet Report 2/14/2019

Climate Change Analysis 11/3/2021

To obtain a copy of one or more of these technical studies/reports or the Initial Study, please send your request to:

Kirsten Helton  
District 9 Environmental Division  
California Department of Transportation  
500 South Main Street  
Bishop, CA 93514

Or send your request via email to: [Kirsten.Helton@dot.ca.gov](mailto:Kirsten.Helton@dot.ca.gov) Or call: 760-874-8333

Please provide the following information in your request:

Rock Creek Pavement Rehabilitation Project in Mono County, CA  
Project ID: 09-37880