

State Route 4 River Bridge Maintenance Project

On State Route 4 at the San Joaquin and Contra Costa County line

10-SJ-4-PM 0.01/0.01

Project ID Number 1017000185

State Clearinghouse Number 2022090379

Initial Study with Negative Declaration

Volume 1 of 2



Prepared by the
State of California Department of Transportation

December 2022



General Information About This Document

Document prepared by: Divine Yang, Environmental Scientist

[The following text has been added since the draft environmental document was circulated.] The Initial Study circulated to the public for 30 days between September 27, 2022, and October 26, 2022. Comments received during this period are included in Appendix B. Elsewhere, language has been added throughout the document to indicate where a change has been made since the circulation of the draft environmental document. Minor editorial changes and clarifications have not been so indicated.

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Old River Bridge maintenance on State Route 4 at the San Joaquin and
Contra Costa County line

**INITIAL STUDY
with Negative Declaration**

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

THE STATE OF CALIFORNIA
Department of Transportation
and
Responsible Agency: California Transportation Commission

C. Scott Guidi

C. Scott Guidi
Environmental Office Chief, District 10
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12/29/2022

Date

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Negative Declaration

Pursuant to: Division 13, Public Resources Code

State Clearinghouse Number: 2022090379

District-County-Route-Post Mile: 10-SJ-4-PM 0.01/0.01

EA/Project Number: EA 10-1H360 and Project ID Number 1017000185

Project Description

The California Department of Transportation (Caltrans) proposes to preserve the Old River Bridge (Number 29-0045) on post mile 0.01 at the San Joaquin and Contra Costa County line on State Route 4. Preserving the bridge will include a polyester concrete overlay and painting the bridge. The old timber waling and the fenders on the north side of Pier 3 will be replaced, and the south side of Pier 2 will be supported with new high-density polyethylene walers mounted to the existing timber piles. An abandoned Caltrans-owned one-car garage on the southwest levee will be removed.

Determination

An Initial Study has been prepared by Caltrans, District 10. On the basis of this study, it is determined that the proposed action will not have a significant effect on the environment for the following reasons:

The project will have no effect on aesthetics, agriculture and forest resources, air quality, energy, geology and soils, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, hazards and hazardous materials, and wildfire.

The project will have no significant effect on biological resources, cultural resources, and greenhouse gas emissions.

C. Scott Guidi

C. Scott Guidi
Environmental Office Chief, District 10
California Department of Transportation

12/29/2022

Date

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Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) is the lead agency under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (known as NEPA). The project proposes to preserve the Old River Bridge (Number 29-0045) at post mile 0.01 on State Route 4 at the San Joaquin and Contra Costa County line. Project activities will include bridge deck overlay, bridge repainting, timber sheathing replacement, and removal of an abandoned Caltrans-owned garage on the southwest levee.

The two-lane Old River Bridge was built in 1915 and is 528 feet long, continuing State Route 4 from San Joaquin County to Contra Costa County. The bridge is a movable bridge with steel through Pratt truss approach spans and steel truss swing spans with a reinforced concrete deck. State Route 4 is routed from Interstate 80 in the San Francisco Bay Area to State Route 89 in the Sierra Nevada.

The project is listed in the 2021 San Joaquin Council of Governments' Federal Statewide Transportation Improvement Program for Bridge Preservation. The San Joaquin Council of Governments' Regional Transportation Plan guides transportation development in the project area. Chapter 1 of this document discusses the project scope, location, and alternatives; Chapter 2 discusses the project's potential environmental impacts under CEQA.

1.2 Purpose and Need

1.2.1 Purpose

The purpose of this project is the preservation of Old River Bridge (Number 29-0045) to ensure its serviceability and structural integrity.

1.2.2 Need

The Old River Bridge (Number 29-0045) has transverse and pattern deck cracks, rust on steel members, and a deteriorated fender system. As such, the project is needed to repair or replace these worn or defective parts that threaten the bridge's serviceability and structural integrity.

1.3 Project Description

The project proposes to preserve the Old River Bridge. Proposed improvements include a polyester concrete overlay to address the transverse and pattern deck cracks that have resulted in a Poor Bridge Health condition rating and spot blasting and painting the bridge to address rust on the steel members. Old timber waling will also be removed, and the fenders on the north side of Pier 3 and the south side of Pier 2 will be supported with new high-density polyethylene walers mounted to the existing timber piles. Timber sheathing replacement will require in-water work from a barge (a flat-bottomed boat). In addition, an abandoned Caltrans-owned one-car garage on the southwest levee will be removed because it is a safety hazard.

A temporary construction easement will be required for the project to conduct the proposed work. Other proposed work will include work off the paved roadway, trenches, grading, or other ground disturbance, work in the channel, vegetation removal, and night work.

Two alternatives—a Build Alternative and a No-Build Alternative—are being proposed. The Build Alternative proposes to conduct the work described above, and the No-Build Alternative will leave the bridge location in its current condition. Figure 1-1, which shows the project vicinity map, also shows where the project is on the San Joaquin and Contra Costa County line. Figure 1-2, which shows the project location map, also shows the project location with project post miles for where work and construction will begin and end. [Figure 1-2 has been revised, and Figure 1-3 has been added since the draft environmental document was circulated.] [The following text has been added since the draft environmental document was circulated.] Figure 1-3 shows the area of potential effect.

Figure 1-1 Project Vicinity Map

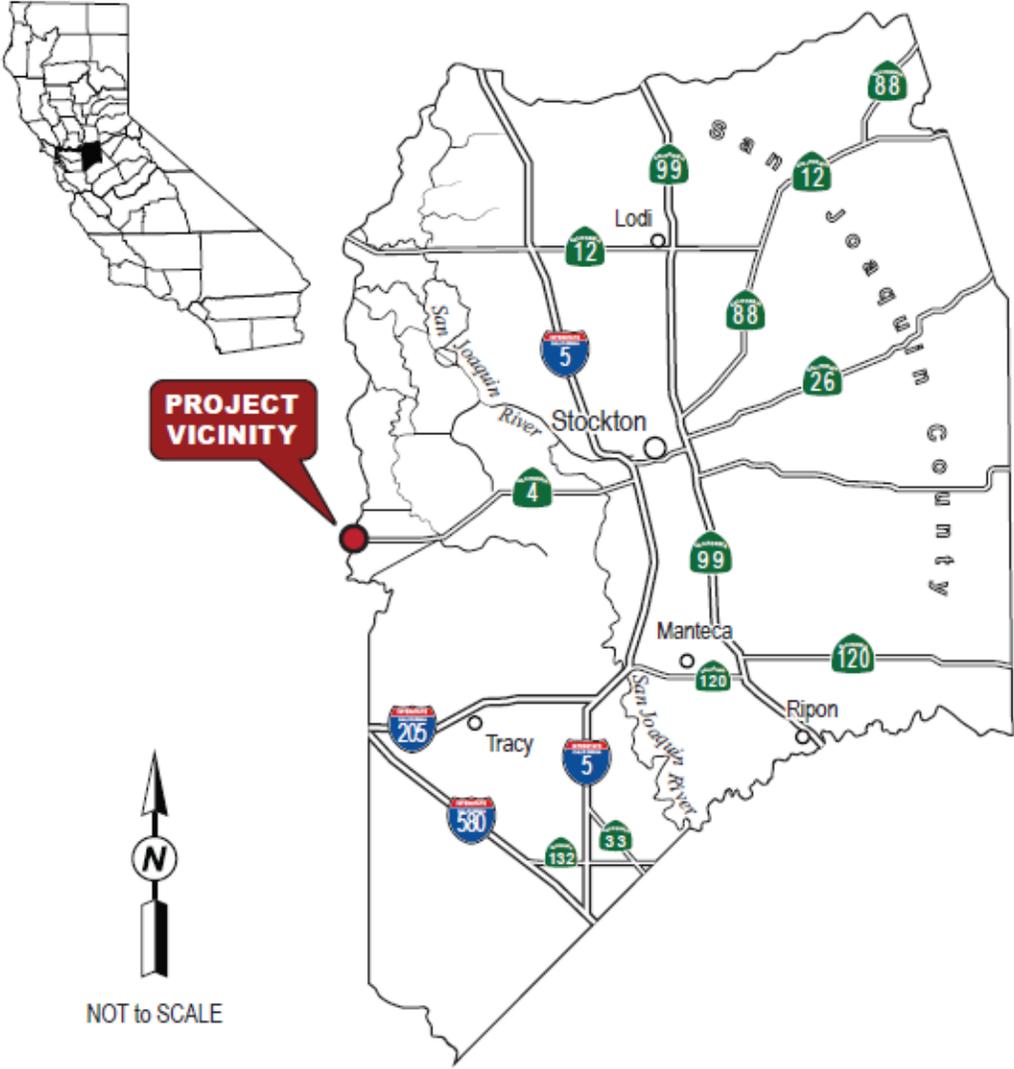


Figure 1-2 Project Location Map

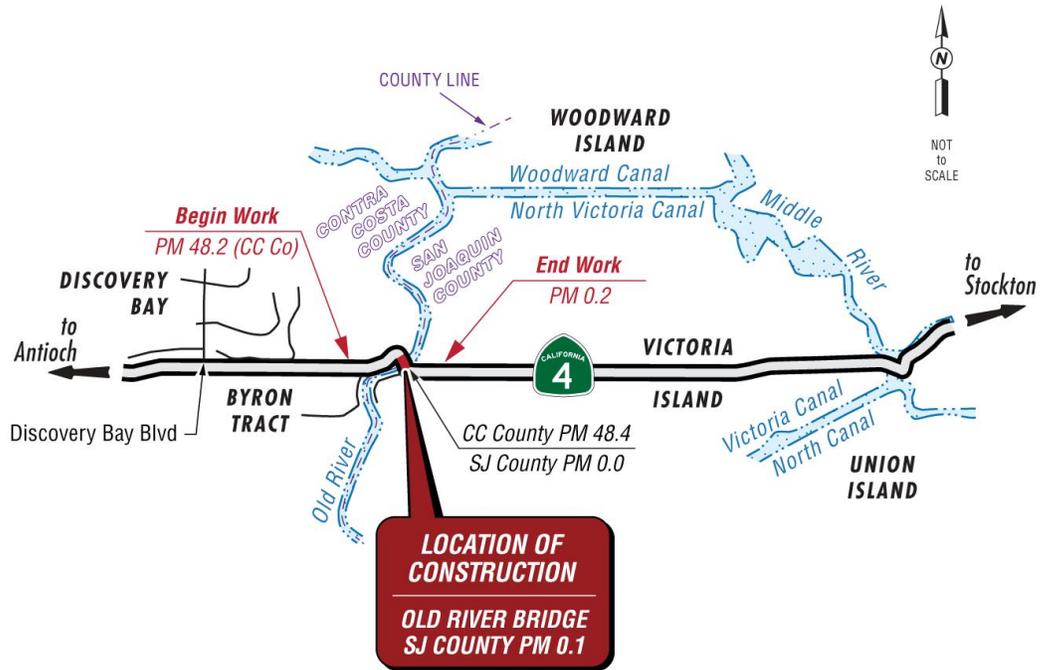


Figure 1-3 Project Location Aerial Map



SAN JOAQUIN COUNTY

1.4 Project Alternatives

[Section 1.4 Project Alternatives has been revised since the draft environmental document was circulated.] The project initially considered a Build Alternative and a No-Build Alternative. The No-Build Alternative was dropped after the circulation of the draft environmental document because it did not meet the purpose and need of the project.

1.4.1 Build Alternatives

The project proposes to preserve the Old River Bridge (Number 29-0045). Preserving the bridge will include a polyester concrete overlay to address the

transverse and pattern deck cracks that have resulted in a Poor Bridge Health condition rating. The deck will be abrasively blasted, swept, and then blown to establish a clean, dry deck surface before the approximately 1-inch-thick polyester concrete overlay is applied. Activities and materials used during deck treatment will be contained within the existing roadway and bridge deck.

Spot blasting and painting the bridge are also proposed to address rust on the steel members. Painting materials will be enclosed with a containment system to safely remove all lead-based debris and wash water. Old and deteriorated timber walers will also be removed, and the fenders on the north side of Pier 3 and the south side of Pier 2 will be supported with new high-density polyethylene walers mounted to the existing timber piles. Timber sheathing replacement will require in-water work from a barge (a flat-bottomed boat).

[The following paragraph has been added since the draft environmental document was circulated.] Caltrans will remove the old, deteriorated timber walers and sheathing from the fenders on the north side of Pier 3 and the south side of Pier 2 and place new walers and sheathing with high-density polyethylene plastic wood components. Timber sheathing replacement will require in-water work from a barge. The barge will be anchored next to the fender at Pier 3. The barge size will be 40 feet wide by 100 feet long at a minimum and up to 80 feet by 150 feet. After completion of work at Pier 3, the barge will be moved to perform the work at Pier 2. Work at each pier location will take about two weeks to complete. It may also be necessary to perform diving operations at each pier to secure the lowest waler and portions of the new sheathing to the existing piles. Barges will require the use of drop-down spuds as anchors. The spuds consist of pipes/piles that are submerged into the riverbed for stability. Spud piles will be installed using a vibratory hammer. The barge will be launched off-site from an existing boat launch.

In addition, an abandoned Caltrans-owned one-car garage on the southwest levee will be removed because it is a safety hazard. Staging areas are proposed on an existing disturbed and graded area at the southwest corner of the bridge.

This project contains a number of standardized project measures that are used on most, if not all, Caltrans projects and were not developed in response to any specific environmental impact resulting from the proposed project. These measures are listed later in this chapter under “Standard Measures and Best Management Practices Included in All Build Alternatives.”

1.4.2 No-Build (No-Action) Alternative

The No-Build Alternative will leave the bridge, walers, and abandoned garage in their current condition. The No-Build Alternative will not meet the purpose and need of the project.

1.5 Identification of a Preferred Alternative

[Section 1.5 Identification of a Preferred Alternative has been added since the draft environmental document was circulated.] Following public review of the draft environmental document, the Build Alternative, which will preserve the bridge, was identified as the preferred alternative.

1.6 Alternatives Considered but Eliminated from Further Discussion

The project first proposed to remove and replace the protective timber pipe pile dolphins and fenders; new steel pipe pile dolphins and fenders would have been driven in the Old River in the same location as or next to the old piles. This proposed work was dropped from further discussion after results from a bridge fender inspection came back on July 9, 2021. The inspection results indicated that the bridge fenders were generally in good condition and did not require replacement.

1.7 Standard Measures and Best Management Practices Included in All Build Alternatives

The project may include, but will not be limited to, the following Standard Special Provisions:

AQ 1: Caltrans Standard Specifications Section 14-9.02 “Air Pollution Control” requires the contractor to comply with air pollution control rules, ordinances, regulations, and statutes that apply to work performed under the contract, including those provided in Government Code Section 11017.

BIO 1: Install Construction Barrier Fencing Around the Project Area To Protect Sensitive Biological Resources To Be Avoided

BIO 2: Conduct Environmental Awareness Training for Construction Personnel

BIO 3: Retain an Agency-Approved Biologist To Conduct Periodic Monitoring During Construction in Sensitive Habitats

BIO 4: Protect Water Quality and Prevent Erosion and Sedimentation in Aquatic Habitat

BIO 5: Conduct Pre-Project Special-Status Plant Surveys and Minimize Temporary Impacts on Special-Status Plants

BIO 6: Conduct Preconstruction Surveys for Western Pond Turtle and Allow Turtles To Leave Work Area Unharmed

BIO 7: Implement Protection Measures for Giant Garter Snakes

BIO 8: Conduct Preconstruction Surveys for Nesting Migratory Birds and Raptors, Including Special-Status Species, and Establish Protective Buffers

BIO 9: Conduct Occupancy Surveys for California Black Rail and Implement Avoidance Measures, if Necessary

BIO 10: Minimize or Avoid Temporary Bridge Lighting From Directly Radiating on Water Surfaces of Old River

BIO 11: Conduct All In-Water Construction Activities Between August 1 and October 15 and Only During Daylight Hours

BIO 12: Develop and Implement a Barge Operations Plan

BIO 13: Prevent the Spread or Introduction of Aquatic Invasive Species

BIO 14: Install Bird Exclusion Measures on Bridge To Deter Structure-Nesting Migratory Birds and Roosting Bats

BIO 15: Avoid the Introduction and Spread of Invasive Plants in Uplands

CUL 1: If previously unidentified cultural materials are unearthed during construction, it is Caltrans' policy that work be stopped in that area until a qualified archaeologist can assess the significance of the find. Additional archaeological surveys will be needed if the project limits extend beyond the present survey limits.

GHG 1 Schedule truck trips outside of peak morning and evening commute hours.

GHG 2 Maximize the use of recycled materials.

GHG 3 Improve fuel efficiency by maintaining equipment, using the right size equipment for the job, and using equipment with new technologies, where feasible.

GHG 4 Use pavement material that reduces the rolling resistance of highway surfaces.

GHG 5 Balance cut and fill quantities to reduce earthwork transport.

GHG 6 Revegetate disturbed areas.

HAZ 1: The Caltrans Standard Special Provision pertaining to nonhazardous aerially deposited lead, Section 7-1.02K(6)(j)(iii) shall be added to the construction contract.

HAZ 2: Asbestos-containing material and lead-based paint surveys will be required if there are any demolition or modifications of buildings.

HAZ 3: Caltrans Standard Special Provisions Section 14-11.12 will be added to the construction contract, and the contractor will manage the removed stripe and pavement marking as hazardous waste.

HAZ-4: Caltrans Standard Special Provisions Section 14-11.14 will be implemented for treated wood waste.

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, will be 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

[Section 1.9 Permits and Approvals Needed has been revised and updated since the draft environmental document was circulated.] The following permits, licenses, agreements, and certifications are required for project construction:

Agency	Permit/Approval	Status
Central Valley Regional Water Quality Control Board	Clean Water Act Section 401: Water Quality Certification	To be obtained in the design phase
U.S. Army Corps of Engineers, Sacramento District	Clean Water Act Section 404	To be obtained in the design phase
Regional Water Quality Control Board	Porter-Cologne Water Quality Control Act: Waste Discharge Requirements	To be obtained in the design phase
U.S. Army Corps of Engineers, Sacramento District	Rivers and Harbors Act of 1899 Section 10	To be obtained in the design phase
U.S. Fish and Wildlife Service and National Marine Fisheries Service	Endangered Species Act Section 7: Interagency Consultation	National Marine Fisheries Service Letter of Concurrence obtained on April 21, 2022 U.S. Fish and Wildlife Service and National Marine Fisheries Service Letter of Concurrence obtained on April 11, 2022
California Department of Fish and Wildlife	California Fish and Game Code Section 1602	To be obtained in the design phase
California State Lands Commission	New lease or a permit amendment	To be obtained in the design phase

Chapter 2 CEQA Evaluation

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 Impact 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 dated May 3, 2022, the following significance determinations have been made:

Except as provided in Public Resources Code Section 21099:

Question—Will 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—Will 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, will 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 will adversely affect day or nighttime views in the area?	No Impact

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.

Considering the information in the project location and scope of work, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Agriculture and Forest Resources
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

Question—Will the project:	CEQA Significance Determinations for Agriculture and Forest Resources
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 in the Air Quality Memorandum dated February 22, 2022, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Air Quality
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
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 in the Natural Environment Study dated February 2022, the Biological Assessment/Essential Fish Habitat Assessment dated January 2022, and the Aquatic Resources Delineation Report, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Biological Resources
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 and Atmospheric Administration Fisheries?	Less Than Significant 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
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

The following discussion is based on the Natural Environment Study, Biological Assessment/Essential Fish Habitat Assessment, and the Aquatic Resources Delineation Report. Instructions on how to obtain copies of the studies are at the end of this document.

Available information pertaining to the natural resources of the Biological Study Area was reviewed. The U.S. Fish and Wildlife Service's Information for Planning and Consultation, National Marine Fisheries Service's Information for Threatened and Endangered Species for Woodward Island Quadrangle, the California Department of Fish and Wildlife's California Natural Diversity Database, and California Native Plant Society's Inventory of Rare and Endangered Plants databases were all queried for species information. A list from the U.S. Fish and Wildlife Service of all federally proposed and listed endangered and threatened species that could occur in the project vicinity was obtained on August 9, 2021. A list from the National Marine Fisheries Service of all proposed and listed endangered and threatened fish species and designated critical habitats that could occur in the project vicinity was obtained on December 11, 2021.

Several in-person surveys were also conducted for natural communities, special-status wildlife and fish species, botanical, and delineation of aquatic resources in fall 2021.

The Biological Study Area encompasses the project's limits of disturbance. It includes developed areas consisting of the existing roadway, bridges, and existing graded/graveled staging areas. The existing biological environment in the Biological Study Area includes common natural communities (ruderal annual grassland, ruderal riparian woodland, and Himalayan blackberry riparian scrub) and one natural community of special concern (open water). The open water is the Old River, which is under the jurisdiction of the U.S. Army Corps of Engineers.

Land Cover Types

Land cover types refer to both categories of natural communities, as well as unvegetated developed areas. Five land cover types were identified in the Biological Study Area: ruderal riparian woodland, Himalayan blackberry riparian scrub, open water in Old River, ruderal annual grassland, and developed land types.

Open Water

The Old River is an open water and is considered a sensitive natural community. In addition, one type of non-wetland water (open water in Old River) was delineated as potential Waters of the U.S.

Special-Status Plants

Forty special-status plant species were identified with the potential to occur in the project region; however, only 12 have suitable habitats in the Biological Study Area, primarily within the freshwater marsh vegetation in the Old River. These species are watershield, bristly sedge, Bolander's water hemlock, woolly rose-mallow, Delta tule pea, Mason's lilaepsis, Delta mudwort, Eel-grass pondweed, Marsh skullcap, side-flowering skullcap, long-styled sand-spurrey, and Suisun Marsh aster. Potentially suitable habitat for Mason's lilaepsis also occurs within the riparian habitat.

Special-Status Wildlife Species

Thirty-seven special-status wildlife species (including invertebrates, amphibians, reptiles, birds, and mammals) were determined to have the potential to occur in the project area; however, only seven of them will have suitable habitat in the Biological Study Area. These seven species are the giant garter snake (state and federally threatened), western pond turtle (state species of special concern), Swainson's hawk (state threatened), white-tailed kite (state fully protected), loggerhead shrike (state species of special concern), Modesto song sparrow (state species of special concern) and California black rail (state threatened).

Special-Status Fish Species

Twelve special-status fish species were identified with the potential to occur in the project area; however, only 11 species will occur because of suitable habitats within the Biological Study Area. These 11 species are Southern Distinct Population Segment of North American green sturgeon (federally threatened and state species of special concern), white sturgeon (state species of special concern), Central Valley spring-run Chinook salmon (state and federally threatened), Central Valley fall-/late fall-run Chinook salmon (state species of special concern), Sacramento River winter-run Chinook salmon (state and federally endangered), Central Valley steelhead (federally threatened), Delta smelt (state and federally endangered), longfin smelt (state threatened), river lamprey (state species of special concern) Pacific lamprey (state species of special concern), and the Sacramento splittail (state species of special concern).

The National Marine Fisheries Service designates the portion of the Old River within the Biological Study Area as critical habitat for the Central Valley steelhead and green sturgeon, and the U.S. Fish and Wildlife Service designates it as critical habitat for the delta smelt. Critical habitats for the Sacramento River winter-run Chinook salmon and Central Valley spring-run Chinook salmon do not occur within the Biological Study Area.

Migratory Birds

Non-special-status migratory birds, including raptors, have the potential to nest in trees, shrubs, and on the ground in the Biological Study Area.

Additionally, swallows and black phoebes have the potential to nest under the Old River Bridge in the Biological Study Area. Remnants and signs of swallow nests were seen on the underside of the bridge.

Bats

Bats, including special-status bats, have the potential to forage over the Biological Study Area. The only potential bat habitats on the bridge are the operator’s shack and generator shack, both of which are disused swallow nests, which can occasionally become occupied by individuals or small numbers of bats, generally during seasonal dispersal from maternity roost sites.

Essential Fish Habitat

The Old River within the Biological Study Area is considered Essential Fish Habitat for Pacific salmon (i.e., all races of Chinook salmon) and groundfish.

Invasive Plant Species

A total of 20 plant species identified as invasive plant species were found within the Biological Study Area, and six of those have been rated as highly invasive.

Environmental Consequences

Potential impacts to special-status plant and wildlife species were assessed and are detailed below.

Land Cover Types

Table 1 shows the potential impacts for all land cover types. All potential impacts are assumed to be temporary because there will be no permanent habitat loss.

Table 1 Temporary Impacts to Land Cover Types

Land Cover Type	Temporary Impact Area (Acres) Total: 5.42 Acres
Ruderal Riparian Woodland	0.02
Himalayan Blackberry Riparian Scrub	0.00
Open Water (Old River)	3.97
Ruderal Grassland	0.65
Developed	0.78

Open Water

The project will have no direct permanent impacts to the Old River. However, preparation activities for painting the bridge could temporarily affect the marsh vegetation. Mason’s lilaeopsis, a state-listed rare species, may also grow beneath the bridge in the marsh vegetation. Project activities could affect up

to 0.33 acre of the Old River during the installation of temporary scaffolding to create the bridge containment system. Implementation of avoidance and minimization efforts, relevant Caltrans Best Management Practices, and Measures BIO 1 to BIO 4 will minimize temporary impacts to the Old River.

Special-Status Plants

The project will have no direct permanent impacts on the freshwater marsh vegetation in the Old River, where there is potential to support special-status plants. Bristly sedge, woolly rose-mallow, and Mason's lilaepsis were confirmed or assumed to be present in the Biological Study Area. Special-status plants, if present in the marsh vegetation, will not likely be tall enough to require trimming but could be within the area of vegetation crushed by the barges or other watercraft during the installation of the scaffolding. In addition, if barges are used for timber sheathing replacement, they will be anchored in the Old River and could temporarily affect vegetation and any special-status plants growing at the edges of the Old River. Measures BIO 1 to BIO 5 will be implemented to minimize impacts to special-status plants.

Special-Status Wildlife Species

The sections below discuss the seven special-status wildlife species that have the potential to occur within the Biological Study Area and the potential impacts to the species.

Western Pond Turtle (State Species of Special Concern)

Project implementation will require some temporary in-channel work that could disturb western pond turtles if they are present within the water column during in-water activities. All impacts on western pond turtle habitat will be temporary, and no permanent habitat loss is expected. Construction activities along the banks of the Old River could temporarily discourage western pond turtles from foraging and basking near the Biological Study Area. Measures BIO 1 to BIO 4 and BIO 6 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Giant Garter Snake (State and Federally Threatened)

The project may affect but is not likely to adversely affect the giant garter snake. The Old River within the Biological Study Area has potential habitat for the giant garter snake. In-water activities within the Old River and disturbance along the riverbanks have the potential to temporarily disturb giant garter snakes if they are present in the active construction area. Giant garter snakes could be crushed by equipment or injured during the movement of a barge or other watercraft within the river channel. The species could also be exposed to hazardous materials associated with construction if these materials are inadvertently released into aquatic habitat. The project will temporarily disturb up to 0.33 acre of freshwater marsh vegetation in the Old River, which

provides suitable basking and foraging habitat for giant garter snakes. Measures BIO 1 to BIO 4 and BIO 7 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Swainson's Hawk (State-Listed Threatened Species)

The project will not result in the permanent loss of potential foraging or nesting habitat for the Swainson's hawk. Ruderal riparian trees in the Biological Study Area may require trimming during the removal of the Caltrans garage structure, but they do not represent suitable nesting habitat for Swainson's hawks. Temporary disturbance within ruderal grasslands will be limited to temporary staging of materials or equipment within existing heavily disturbed areas next to State Route 4. Measures BIO 1 to BIO 3 and BIO 8 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

White-Tailed Kite (State Fully Protected)

The project will not result in the permanent loss of potential foraging or nesting habitat for white-tailed kites. Construction activities could result in the disturbance or loss of a white-tailed kite nest if an active nest is present in or near the construction area. Measures BIO 1 to BIO 3 and BIO 8 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Loggerhead Shrike and Modesto Song Sparrow (State Species of Special Concern)

Construction activities could result in the disturbance or loss of loggerhead shrikes or Modesto song sparrows if active nests are present in or near the construction area. The project will not result in the permanent loss of potential foraging or nesting habitat for loggerhead shrikes and Modesto song sparrows. Measures BIO 1 to BIO 3 and BIO 8 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

California Black Rail (State Threatened)

Construction activities could result in the disturbance or loss of California black rails if the species is present within freshwater marsh vegetation during proposed project activities. The project will not result in the permanent loss of potential habitat for California black rails because temporarily disturbed habitat will be expected to regenerate within one growing season. Measures BIO 1 to BIO 3 and BIO 8 to BIO 9 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the

Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Special-Status Fish Species

Eleven special-status fish species could occur within the Biological Study Area. A finding of may affect but not likely to adversely affect was made for the California Central Valley Steelhead Distinct Population Segment, Southern Distinct Population Segment of North American green sturgeon, and delta smelt.

Southern Distinct Population Segment of North American Green Sturgeon (Federally Threatened and State Species of Special Concern)

The project may affect but is not likely to adversely affect the Southern Distinct Population Segment of North American green sturgeon. The green sturgeon may be at higher risk of exposure to sediment-related impacts and associated pollutant-related impacts than other listed species because its benthic nature—of, relating to, or occurring at the bottom of a body of water—may make it more likely to encounter sediment plumes that may be more concentrated near the river bottom. The effect of any contaminants mobilized by in-water construction is not expected to significantly affect the survival or growth of adult or juvenile green sturgeons or other special-status fish species.

Turbidity and suspended sediment and noise and visual disturbances are expected to have only temporary (several weeks) effects on the behavior and distribution of fish, including the green sturgeon. The project will require in-water work and result in the temporary disturbance to and temporary loss of aquatic habitat area and volume, including foraging and rearing habitat for juvenile and adult green sturgeons. The project will not result in the permanent loss of designated critical habitat. Measures BIO 1 to BIO 4 and BIO 10 to BIO 13 will be implemented to minimize impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

California Central Valley Steelhead (Federally Threatened)

The project may affect but is not likely to adversely affect the California Central Valley steelhead. Potential impacts will be similar to those described for the green sturgeon above. Measures BIO 1 to BIO 4 and BIO 10 to BIO 13 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Delta Smelt (Federally Threatened)

The project may affect but is not likely to adversely affect the delta smelt and its designated critical habitat. Project impacts on the delta smelt will be similar to those described for the green sturgeon above. Measures BIO 1 to BIO 4

and BIO 10 to BIO 13 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Longfin Smelt (State Threatened)

Project impacts on the longfin smelt will be similar to those described for the green sturgeon above. Measures BIO 1 to BIO 4 and BIO 10 to BIO 13 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

White Sturgeon, River Lamprey, Pacific Lamprey, and Sacramento Splittail

Project impacts on the white sturgeon, river lamprey, Pacific lamprey, and Sacramento splittail will be similar to those described for the green sturgeon above. Measures BIO 1 to BIO 4 and BIO 10 to BIO 13 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Central Valley Spring-Run Chinook Salmon and Sacramento River Winter-Run Chinook Salmon (State and Federally Threatened)

The project will have no impacts on Central Valley spring-run chinook salmon and Sacramento River winter-run chinook salmon because these species do not occur in the Biological Study Area during summer when in-water project activities will occur, and effects on aquatic habitat will be small, temporary, and localized. Therefore, the project will have no effect.

Central Valley Fall and Late Fall–Run Chinook Salmon (State Species of Special Concern)

Project impacts on the Central Valley fall and late fall-run chinook salmon will be similar to those described for the green sturgeon above. Measures BIO 1 to BIO 4 and BIO 10 to BIO 13 will be implemented to minimize and avoid any potential impacts. Descriptions of these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Migratory Birds

Several non-special-status migratory birds, including the red-tailed hawk, killdeer, Anna's hummingbird, and northern mockingbird, could nest on the ground or in shrubs or trees in and next to the limits of disturbance for project construction. The project has the potential to affect vegetation-nesting migratory birds either through direct injury or mortality during ground-disturbing activities. Measures BIO 1 to BIO 3, BIO 8, and BIO 14 will be implemented to minimize and avoid any potential impacts. Descriptions of

these measures are detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Bats

The project has the potential to impact bats if they are roosting in vacated swallow nests on the bridge structure or accessory buildings during construction activities. Measure BIO 14 will be implemented to minimize and avoid any potential impacts. A description of this measure is detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Essential Fish Habitat

The project is not likely to adversely affect essential fish habitat. The potential environmental effects of the project will be limited to intermittent, short-term, localized, and minor increases in turbidity and suspended sediment.

Invasive Plant Species

The project has the potential to create additional disturbed areas for a temporary period and introduce and spread invasive plant species to uninfected areas. Measure BIO 15 will be implemented to minimize and avoid any potential impacts. A description of this measure is detailed in the Natural Environment Study and Biological Assessment/Essential Fish Habitat Assessment.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will be implemented in the project to minimize impacts on biological resources. Details of the measures are available in the technical studies in Volume 2:

BIO 1: Install Construction Barrier Fencing Around the Project Area To Protect Sensitive Biological Resources to Be Avoided

BIO 2: Conduct Environmental Awareness Training for Construction Personnel

BIO 3: Retain an Agency-Approved Biologist To Conduct Periodic Monitoring During Construction in Sensitive Habitats

BIO 4: Protect Water Quality and Prevent Erosion and Sedimentation in Aquatic Habitat

BIO 5: Conduct Pre-Project Special-Status Plant Surveys and Minimize Temporary Impacts on Special-Status Plants

BIO 6: Conduct Preconstruction Surveys for Western Pond Turtle and Allow Turtles To Leave Work Area Unharmmed

BIO 7: Implement Protection Measures for Giant Garter Snake

BIO 8: Conduct Preconstruction Surveys for Nesting Migratory Birds and Raptors, Including Special-Status Species, and Establish Protective Buffers

BIO 9: Conduct Occupancy Surveys for California Black Rail and Implement Avoidance Measures, if Necessary

BIO 10: Minimize or Avoid Temporary Bridge Lighting From Directly Radiating on Water Surfaces of the Old River

BIO 11: Conduct All In-Water Construction Activities Between August 1 and October 15 and Only During Daylight Hours

BIO 12: Develop and Implement a Barge Operations Plan

BIO 13: Prevent the Spread or Introduction of Aquatic Invasive Species

BIO 14: Install Bird Exclusion Measures on Bridge To Deter Structure-Nesting Migratory Birds and Roosting Bats

BIO 15: Avoid the Introduction and Spread of Invasive Plants in Uplands

2.1.5 Cultural Resources

Considering the information in the Historic Property Survey Report, Historical Resources Evaluation Report, and the Archaeological Survey Report dated July 2022, and the Section 4(f) De minimis Finding Memorandum dated June 13, 2022, the following significance determinations have been made:

Question—Will 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?	Less Than Significant 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

Affected Environment

The following discussion is based on the Archaeological Survey Report dated June 2022, Historic Property Survey Report dated June 2022, and a Section 4(f) De minimis Finding dated June 13, 2022. Instructions on how to obtain copies of the studies are at the end of this document.

The Old River Bridge is eligible for the National Register of Historic Places and the California Register of Historical Resources under Criterion A/1 for its association with the Borden Highway, one of the earliest east-west routes in the state, and under C/3 as a distinctive example of a Pratt metal truss swing bridge. The deck, the timber beams on the fenders, and the dolphins next to the bridge are not contributing elements to the bridge’s eligibility.

Environmental Consequences

A Finding of No Adverse Effect and a Section 4(f) De minimis Finding were prepared. Caltrans applied the criteria of adverse effect and found that, pursuant to Stipulation X.B.2 of the Section 106 Programmatic Agreement, the undertaking will have no adverse effect on the Old River Bridge. Preserving the bridge will not add features or change the distinct design of the Old River Bridge. The character of the Old River Bridge setting will not be altered, and the workmanship and materials that make the Old River Bridge distinctive and recognizable will be preserved and will retain its integrity. The bridge will be painted in an identical color to the existing color. Once completed, the preservation will be virtually unnoticed by users of the bridge, though the preservation will help to extend the life of the resource.

Avoidance, Minimization, and/or Mitigation Measures

CUL-1: If previously unidentified cultural materials are unearthed during construction, it is Caltrans’ policy that work be stopped in that area until a qualified archaeologist can assess the significance of the find. Additional archaeological surveys will be needed if the project limits extend beyond the present survey limits.

2.1.6 Energy

Considering the information in the project scope and the information in the Caltrans Standard Environmental Reference pulled in January 2022, the following significance determinations have been made:

Question—Will 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 California Department of Conservation Earthquake Zone Map and the California Department of Conservation Landslide Map pulled in May 2022, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Geology and Soils
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> 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. 	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 will 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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	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 in the Climate Change/Greenhouse Gas Analysis dated June 2022, the following significance determinations have been made:

Question—Will 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?	Less Than Significant Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

Affected Environment

The project area is characterized by urban roads and agricultural areas. The bridge serves as a connector of State Route 4 that spans over the Old River. State Route 4 is the main arterial highway in the area and extends across several counties east-west from the Interstate 80 junction in Contra Costa County through San Joaquin and Calaveras Counties to the junction of State Route 89 in Alpine County. In the project area, State Route 4 is a conventional highway.

The project is listed in the 2021 Federal Statewide Transportation Improvement Program under Bridge Preservation. The San Joaquin Council of Governments’ Regional Transportation Plan guides transportation development in the project area.

Environmental Consequences

The project will not increase operational emissions. Temporary carbon dioxide emissions generated from construction equipment were estimated using the Caltrans Construction Emissions Tool (CALCET v1.1 V1.0 Beta). The estimated carbon dioxide emissions for the project will be 122 tons during the project’s 225 working days. While the project will result in greenhouse gas emissions during construction, the project is not expected to cause an increase in operational greenhouse gas emissions.

The project will not conflict with any applicable plan, policy, or regulation adopted to reduce the emissions of greenhouse gases. With the implementation of construction greenhouse gas-reduction measures, the impact will be less than significant.

Avoidance, Minimization, and/or Mitigation Measures

The following measures will also be implemented in the project to reduce greenhouse gas emissions and potential climate change impacts from the project.

AQ 1 Caltrans Standard Specifications Section 14-9.02 “Air Pollution Control” requires the contractor to comply with air pollution control rules, ordinances, regulations, and statutes that apply to work performed under the contract, including those provided in Government Code Section 11017.

GHG 1 Schedule truck trips outside of peak morning and evening commute hours.

GHG 2 Maximize the use of recycled materials.

GHG 3 Improve fuel efficiency by maintaining equipment, using the right size equipment for the job, and using equipment with new technologies where feasible.

GHG 4 Use pavement material that reduces the rolling resistance of highway surfaces.

GHG 5 Balance cut and fill quantities to reduce earthwork transport.

GHG 6 Revegetate disturbed areas.

2.1.9 Hazards and Hazardous Materials

Considering the information in the Hazardous Waste Initial Site Assessment dated April 1, 2022, the following significance determinations have been made:

Question—Will 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

Question—Will the project:	CEQA Significance Determinations for Hazards and Hazardous Materials
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 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, will 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 2 miles of a public airport or public use airport, will the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact
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 Water Compliance Memorandum dated February 10, 2022, the following significance determinations have been made:

Question—Will 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

Question—Will the project:	CEQA Significance Determinations for Hydrology and Water Quality
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 will: (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 will result in flooding onsite or offsite;	No Impact
(iii) create or contribute runoff water which will 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

Considering the information in the San Joaquin County General Plan, the following significance determinations have been made:

Question—Will 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 San Joaquin County General Plan, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Mineral Resources
a) Result in the loss of availability of a known mineral resource that will 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 Noise Compliance Study dated June 21, 2022, the following significance determinations have been made:

Question—Will 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?	No 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 2 miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	No Impact

2.1.14 Population and Housing

Considering the scope and location of the project, the following significance determinations have been made:

Question—Will 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

Considering that the project will not affect any government facilities or trigger the need for new facilities or government services and the fact that the road will be open during construction, the following significance determinations have been made:

Question:	CEQA Significance Determinations for Public Services
a) Will 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

Considering that the project will not affect parks or recreational facilities or trigger the need for more recreational facilities to be built, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Recreation
a) Will the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will 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

Considering the information in the San Joaquin Council of Governments’ Regional Transportation Plan, which guides transportation development in the project area, the following significance determinations have been made:

Question—Will 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 in the Historic Property Survey Report dated January 5, 2022, the following significance determinations have been made:

Will 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) 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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	No Impact

2.1.19 Utilities and Service Systems

Considering the information in the project scope, location, and preliminary design, the following significance determinations have been made:

Question—Will the project:	CEQA Significance Determinations for Utilities and Service Systems
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	No Impact
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?	No Impact

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

2.1.20 Wildfire

Considering the information in the California Department of Forestry and Fire Protection’s Fire Hazard Severity Zone Maps, the following significance determinations have been made:

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones:

Question—Will 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
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)?	No Impact
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	No Impact

Affected Environment

The project proposes to preserve the Old River Bridge. The project area is characterized by agricultural land.

Environmental Consequences

As discussed in Sections 2.1.4, 2.1.5, and 2.1.8, the project will have an impact on biological resources, cultural resources, and greenhouse gas emissions during construction. But, with avoidance and minimization measures implemented, the impacts will be less than significant.

Avoidance, Minimization, and/or Mitigation Measures

With the implementation of avoidance and minimization measures discussed in this document, the project will have a less than significant impact on the environment. All other impacts will be minimized through the implementation of Caltrans’ Best Management Practices, Standard Specifications, and

Standard Special Provisions. Therefore, the project will not have a significant, cumulatively considerable impact on human beings or the environment.

Appendix A Title VI Policy Statement

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

Govin Newsom, Governor

DEPARTMENT OF TRANSPORTATION

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Making Conservation
a California Way of Life.

September 2021

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 14th Street, MS-79, Sacramento, CA 95811; PO Box 942874, MS-79, Sacramento, CA 94274-0001; (916) 324-8379 (TTY 711); or at Title.VI@dot.ca.gov.

A handwritten signature in blue ink, appearing to read 'Toks Omishakin'.

Toks Omishakin
Director

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

Appendix B Comment Letters and Responses

[Appendix B has been added since the draft environmental document was circulated.] This appendix contains the comments received during the public circulation and comment period from September 27, 2022, to October 26, 2022, retyped for readability. The comment letters are stated verbatim as submitted, with acronyms, abbreviations, and any original grammatical or typographical errors included. A Caltrans response follows each comment presented. Copies of the original comment letters and documents can be found in Volume 2 of this document.

A comment letter has been received from the National Oceanic and Atmospheric Administration Fisheries, the California Department of Fish and Wildlife, the Central Valley Regional Water Quality Control Board, and the California State Lands Commission.

Comment from Ryan McKenzie, National Oceanic and Atmospheric Administration Fisheries; comment received via email

Comment 1:

From: Ryan McKenzie - NOAA Federal <ryan.mckenzie@noaa.gov>

Date: October 14, 2022 at 2:43:38 PM PDT

To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>

Cc: Ellen McBride - NOAA Federal <ellen.mcbride@noaa.gov>

Subject: Proposed Negative Declaration on State Route 4 River Bridge Maintenance Project

Good Afternoon Jaycee,

NMFS received your request for comment on the Proposed Negative Declaration on State Route 4 River Bridge Maintenance Project. Thank you for the additional information on this project. After review, we have no additional comments to make on the project.

Sincerely,

--

Ryan McKenzie

(he/him)

Natural Resource Management Specialist

California Central Valley Office

NOAA Fisheries | U.S. Department of Commerce

(916) 201-0382 mobile

www.fisheries.noaa.gov

Response to comment 1: Thank you for your comment and interest in this project.

Comment from Erin Chappell, California Department of Fish and Wildlife; comment received via letter.

Comment 1:

Date: October 18, 2022

To: Jaycee Azevedo

California Department of Transportation

District 10

1976 East Doctor Martine Luther King Jr. Boulevard

Stockton, CA 95205

Jaycee Azevedo@dot.ca.gov

From: Erin Chappell, Regional Manager

California Department of Fish and Wildlife-Bay Delta Region, 2825 Cordelia Road, Suite 100, Fairfield, CA 94534

Subject: State Route – 4 River Bridge Maintenance Project, SCH No. 2022090379, San Joaquin and Contra Costa County

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Completion (NOC) for the draft Initial Study with Proposed Negative Declaration (IS/ND) for the State Route – 4 (SR-4) River Bridge Maintenance Project (Project), pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ CDFW is submitting comments on the draft IS/ND as a means to inform the California Department of Transportation (Caltrans) as the Lead Agency, of our concerns regarding potentially significant impacts to sensitive resources associated with the proposed Project.

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code. Pursuant to our jurisdiction, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT LOCATION AND DESCRIPTION

Caltrans proposes to preserve the Old River Bridge (Number 29-0045) on post mile 0.01 at the San Joaquin and Contra Costa County line on SR-4. Preservation of the bridge will include a polyester concrete overlay and painting the bridge. The old timber waling and the fenders on the north side of Pier 3 will be replaced, and the south side of Pier 2 will be supported with new high-density polyethylene walers mounted to the existing timber piles. An abandoned Caltrans-owned one-car garage on the southwest levee will be removed.

REGULATORY AUTHORITY

Lake and Streambed Alteration Agreement Notification

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et. seq., for or any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are generally subject to notification requirements.

Fully Protected Species

Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take, except for collecting these species for necessary scientific research and relocation of a fully protected bird species for the protection of livestock. Take of any fully protected species is prohibited, and CDFW cannot authorize their take in association with a general project except under the provisions of a Natural Communities Conservation Plan (NCCP), 2081.7 or a Memorandum of Understanding for scientific research, including efforts to recover fully protected, threatened or endangered species. "Scientific Research" does not include an action taken

as part of specified mitigation for a project, as defined in Section 21065 of the Public Resources Code.

California Endangered Species Act

Please be advised that a CESA Permit must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit. CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species (CEQA section 21001(c), 21083, and CEQA Guidelines section 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the Project proponent’s obligation to comply with Fish and Game Code, section 2080. More information on the CESA permitting process can be found on the CDFW website at <https://www.wildlife.ca.gov/Conservation/CESA>.

COMMENTS AND RECOMMENDATIONS

COMMENT 1: Project Impacts to Old River

Issue: The IS/ND indicates Project activities could affect up to 0.33 acre of the Old River during the installation of temporary scaffolding to create the bridge containment system but the Project Description does not indicate where these impacts will occur. The Project is subject to notification under Fish and Game Code section 1600 et. seq. CDFW will require additional information to process the notification.

Recommendation 1 – Provide a Detailed Project Map: Provide a detailed map of the extent and location of Project activities that will occur within the bed, bank, channel and riparian habitat of Old River.

Recommendation 2 – Clarify Project Impacts to Old River: Quantify the temporary and permanent impacts to the bed, bank, channel and riparian habitat of Old River and of any associated tributaries. Examples of impacts that should be quantified include vegetation clearing, grading, excavation, de-watering and/or bank armoring.

Recommendation 3 – Provide Additional Night-Work Information: Identify the proposed number of nights necessary to complete work.

Recommendation 4 – Planning for Temporary and Permanent Impacts to Old River: The restoration and enhancement plan should detail the areas for restoration and enhancement and include proposed actions, monitoring plans, success criteria, and plan for corrective actions. Additionally, the area where the currently existing one-car garage is proposed for demolition should be included in the plan and could be used to offset permanent impacts.

Response to comment 1: Thank you for your comment and recommendations. The locations of the impacts, mappings, and discussions of temporary and permanent impacts to the bed, bank, channel, and riparian habitat of Old River and any associated tributaries are detailed in the Natural Environment Study, Biological Assessment/Essential Fish Habitat Assessment, and Aquatic Resources Delineation Report, which are bounded in Volume 2. A copy of Volume 2 is available upon request. Three days of night work is anticipated.

Comment 2:

COMMENT 2 – Bridge Runoff Capture Systems

Issue: The Project could increase impervious surfaces at the Project site that can cause concentrated run-off into Old River. The Project currently proposes no system to contain roadway runoff before it enters Old River. Impervious surfaces, stormwater systems, and storm drain outfalls have the potential to significantly affect fish and wildlife resources from polluted water and by altering the hydrograph of natural streamflow patterns via concentrated run-off that enters creeks and systems from the road.

Evidence the impact would be significant: Urbanization (e.g., impervious surfaces, stormwater systems, storm drain outfalls) can modify natural streamflow patterns by increasing the magnitude and frequency of high flow events and storm flows (Hollis 1975, Konrad and Booth 2005). A review by Eisler (1987) indicates elevated incidence of tumors and hyperplastic diseases, and some circumstantial evidence about cancers, in fish in areas with high sediment Polycyclic Aromatic Hydrocarbon (PAH) levels. Arsenic, cadmium, chromium, lead, mercury, nickel, and zinc have been detected in streambed sediments and Stormwater Runoff from Bridges in the tissue of fish, indicating bioaccumulation of these metals in the environment (MacCoy and Black, 1998). Lead concentrations in benthic insects, and nickel and cadmium levels in certain fish were found to be related to traffic density and sediment levels of these constituents (Van Hassel, 1980). Acute toxicity and mortality have also been tied to immediate road runoff from a compound occurring in tires, 6PPD-Quinnone (Tial, 2021).

Recommendation 1 – Bridge Capture Runoff System: The Project design should include a bridge capture runoff system to prevent direct runoff of untreated water on the bridge decks from entering Old River. The bridge

runoff system should direct runoff to a land-based bio-filtration system or a mechanical filter system to avoid, minimize and treat any discharge water.

Recommendation 2 – Bridge Material Capture System: The Project Description should include additional details about the impacts created by the temporary scaffold to bed, bank, channel or riparian habitat and provide a detailed description of the additional avoidance and minimization measures to be employed that will prevent material from entering the Old River.

Recommended Measure – Concrete Monitoring: A concrete monitor shall be on-site during all concrete pours that have the potential for material to enter Old River. The monitor shall have the authority to halt construction if necessary to prevent pollution. No pouring of concrete shall occur at night. If curing compounds are proposed on-site, they shall be approved in advance by CDFW and follow the curing periods on the product label. A concrete pour monitoring log shall also be kept that notes the date, time, type of concrete and quantity of concrete installed. A Concrete spill plan shall also be developed in advance of construction for CDFW review and approval.

Response to comment 2: Caltrans will enforce Standard Specifications Section 13.0, “Water Pollution Control,” to reduce bridge runoff. Either a Stormwater Pollution Prevention Plan or a Water Pollution Control Program will be implemented during project construction. The contractor will submit a Stormwater Pollution Prevention Plan or Water Pollution Control Program plan that must be authorized by Caltrans’ National Pollutant Discharge Elimination System coordinator before construction begins. The authorized plan must show how the contractor will capture the runoff and disposal methods. Furthermore, the contractor will be required to hire an approved Stormwater Pollution Prevention Plan or Water Pollution Control Program plan inspector to verify that the authorized plan has been implemented. Caltrans will also have a National Pollutant Discharge Elimination System coordinator verify that the authorized plan is being enforced.

Scaffolding will be supported by the bridge structure and will stop at the riverbanks just to the point where workers can access underneath the bridge, which should minimize any impacts to the bed, bank, channel, or riparian habitat. Caltrans must authorize the scaffolding plan to verify that avoidance and minimization measures are implemented to prevent materials and other things from entering the Old River.

The contractor will submit a concrete monitoring and spill plan that must be authorized by Caltrans and the California Department of Fish and Wildlife before any bridge deck work may begin. All work on the bridge deck is expected to be completed during the day. A weekend closure will be required for bridge deck work, which will consist of 8 hours for grinding the bridge deck, 6 hours for dry time, 8 hours for polyester placement, and 8 hours of cure time before opening to traffic. Caltrans will have a full-time inspector

onsite during all construction activities; the inspector can stop construction if necessary to prevent pollution.

Comment 3:

COMMENT 3: Light Impact Analysis and Discussion

Issue: Clarify if any new permanent light sources will be installed or if any existing lighting sources will be replaced with modern lighting systems. The location surrounding the current Old River Bridge has one instance of an overhead light and other minor lighting sources associated with safe navigation of the bridge. Artificial light spillage beyond the prism of the roadway into natural areas may result in a potentially significant impacts through substantial degradation of the quality of the environment. Artificial light pollution also has the potential to significantly and adversely affect biological resources and the habitat that supports them. Unlike the natural brightness created by the monthly cycle of the moon, the permanent and continuously powered lighting fixtures create an unnatural light regime that produces a constant light output. Continuous light output for 365 days a year can also have cumulatively significant impacts on fish and wildlife populations.

Evidence the impact would be significant: Artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Artificial night lighting has also been found to impact juvenile salmonid overwintering success by delaying the emergence of salmonids from benthic refugia and reducing their ability to feed during the winter (Contor and Griffith 1995). For nocturnally migrating birds, direct mortality as a result of collisions with anthropogenic structures due to attraction to light (Gauthreux, 2006) is another direct effect of artificial light pollution. There are also more subtle effects, such as disrupted orientation (Poot et al. 2008) and changes in habitat selection (McLaren et al. 2018). There is also growing evidence that light pollution alters behavior at regional scales, with migrants occupying urban centers at higher-than-expected rates as a function of urban illumination (La Sorte et al. 2021). While artificial light pollution can act as an attractant at both regional (La Sorte et al. 2021) and local (Van Doren et al. 2017) scales, there is also evidence of migrating birds avoiding strongly lit areas when selecting critical resting sites needed to rebuild energy stores (McLaren et al. 2018).

Recommendation: Due to the high potential for songbirds, migratory birds, salmonids and nocturnally active State listed and special-status species, CDFW recommends no lighting is installed or updated as part of or as a result of Project in order to avoid potentially significant impacts to biological resources from artificial lighting. If lighting is proposed for installation or

replacement an analysis of the proposed light output should be included in the IS/ND.

Recommended Measure 1-Habitat Compensation: For Project elements that require artificial lighting, compensatory mitigation shall be provided for all areas supporting fish and wildlife affected by new or increased light output.

Recommended Measure 2- Light Output Analysis: Isolux Diagrams that note current light levels present during pre-Project conditions and the predicted Project light levels that will be created upon completion of the Project shall be analyzed in the IS/ND. An Isolux Diagram provides the contours of illuminance over the surface of the land and water as points of illuminance in footcandles or lux. If an increase in light output from current levels to the projected future levels is evident additional avoidance, minimization or mitigation shall be developed in coordination with the natural resource agencies to offset indirect impacts to special-status species. Within 60 days of Project completion the lead agency shall conduct a ground survey that compares projected future light levels with actual light levels achieved upon completion of the Project through comparison of Isolux diagrams. If an increase from the projected levels to the actual levels is discovered additional avoidance, minimization or mitigation measures may also be required in coordination with the natural resource agencies. This analysis should be conducted across all potential alternatives and compared in table and map format.

Recommended Measure 3-Light Output Limits: result of the Project shall be rated to emit or produce light at or under 2700 kelvin that results in the output of a warm white color spectrum.

Recommended Measure 4-Vehicle Light Barriers: Solid barriers at a minimum height of 3.5 feet should be installed in areas where they have the potential to reduce illumination from overhead lights and from vehicle lights into areas outside of the roadway. Barriers should only be utilized as a light pollution minimization measure if they do not create a significant barrier to wildlife movement. Additional barrier types should be employed when feasible, such as privacy slats into the spacing of cyclone fencing to create light barriers for areas outside the roadway.

Recommended Measure 5- Reflective Signs and Road Striping: Retro-reflectivity of signs and road striping should be implemented throughout the Project to reduce the need for electrical lighting.

Recommended Measure 6-Light Pole Modifications and Shielding: All new or replacement light poles or sources of illumination shall be installed with the appropriate shielding to avoid excessive light pollution into natural landscapes or aquatic habitat within the Project corridor in coordination with CDFW. In addition, the light pole arm length and mast heights should be modified to site

specific conditions to reduce excessive light spillage into natural landscapes or aquatic habitat within the Project corridor. In areas with sensitive natural landscapes or aquatic habitat the lead agency should also analyze and determine if placing the light poles at non-standard intervals has the potential to further reduce the potential for excessive light pollution caused by decreasing the number of light output sources in sensitive areas.

Response to comment 3: Caltrans does not expect any permanent light changes to this project. Therefore, light analysis is not warranted.

Comment 4:

COMMENT 4: Issue: Measures proposed in the IS/ND may not be sufficient to avoid hawk, a state threatened species. The California Natural Diversity Database (CNDDDB) indicates a minimum of three occurrences within the recommended survey protocol area. One nest occurrence is within the 0.5-mile avoidance buffer as are suitable nesting trees.

Recommendation 1-Swainson’s Hawk Protocol Surveys and Assessments:

Follow the Swainson’s Hawk Technical Advisory Committee (TAC)
Recommended Timing and Methodology for Swainson’s Hawk Nesting Survey in California’s Central Valley (2000)

<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>
survey methods and start early in the nesting season (late March to early April) in order to maximize the likelihood of detecting an active nest.

Recommendation 2-Swainson’s Hawk Nest Buffers: If an active nest is found during surveys, avoid all Project-related disturbance during the Swainson’s Hawk nesting season within a minimum of 0.25 miles and up to 0.5 miles from an active nest, depending on site-specific conditions. CDFW considers a nest active if it has been occupied once in the previous five years. Please refer to the CDFW’s Staff Report regarding Mitigation for Impacts to Swainson’s Hawks (*Buteo swainsoni*) in the Central Valley of California available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83992&inline> if impacts cannot be avoided.

Recommendation 3-Swainson’s Hawk Take Prohibition: If “take” of Swainson’s hawk or any other species listed under CESA cannot be avoided either during Project activities or over the life of the Project, a CESA permit must be obtained (pursuant to Fish and Game Code Section 2080 et seq.). Issuance of a CESA permit is subject to CEQA documentation; therefore, the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the proposed Project will impact any CESA-listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA permit. More information on the CESA permitting process can be found on the CDFW website at <https://wildlife.ca.gov/Conservation/CESA>.

Response to comment 4: Caltrans has included Standard Measure BIO-8 in the project, which requires consideration of surveys for Swainson's hawks under the survey protocol recommended by the California Department of Fish and Wildlife (i.e., the Swainson's Hawk Technical Advisory Committee 2000 survey protocol). Additionally, Standard Measure BIO-8 also includes the consideration of additional buffers if active nests are located in the survey area to avoid disturbing nests. The measure notes, "The extent of these buffers will be determined by the Caltrans designated biologist in coordination with any applicable agencies..." Caltrans expects that if nesting Swainson's hawks are found in the survey area, appropriate buffers would be established in coordination with the California Department of Fish and Wildlife as required under Standard Measure BIO-8. Lastly, Caltrans notes that the measures are intended to avoid the take of Swainson's hawk; therefore, a permit under the California Endangered Species Act will not be required. In summary, the project and measures in place to protect Swainson's hawks are generally consistent with the California Department of Fish and Wildlife's recommendations.

Comment 5:

COMMENT 5: BIO 14-Nesting Bird and Roosting Bat Exclusion Measures

Issue: The IS/ND indicates that bird exclusion measures will be employed but does not describe the exclusion methods. If exclusion netting is used, CDFW is concerned this could result in ensnaring of individuals and unintended impacts to wildlife. Exclusion netting is prone to failure and requires daily monitoring, upkeep and maintenance to function properly.

Recommendation: Exclusionary netting should not be used to exclude bird and bats. Alternative measures that incorporate surveys and seasonal avoidance should be employed.

CONCLUSION

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California's fish and wildlife resources. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

Questions regarding this letter or further coordination should be directed to Robert Stanley, Senior Environmental Scientist (Specialist), at (707) 339-6534 or Robert.Stanley@wildlife.ca.gov; or Wesley Stokes, Senior Environmental Scientist (Supervisory), at (707) 339-6066 or Wesley.Stokes@wildlife.ca.gov.

cc: State Clearinghouse #2022090379

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Response to comment 5: Caltrans has included Standard Measure BIO-14 in the project, which requires using exclusion materials and methods that comply with Caltrans standard plans and specifications under Section 14-6.10 (Caltrans 2018). These Caltrans specifications require using exclusion materials consisting of plastic sheeting or weather-resistant polypropylene

netting with 0.25-inch or smaller openings, which avoids and minimizes entrapment hazards. Additionally, the Caltrans specifications require the daily monitoring and repair of exclusion devices to keep them effective. Standard Measure BIO-14 also provides alternative methods to using exclusion materials, such as those suggested by the California Department of Fish and Wildlife, including daily visits by a biologist and removal of nests before any eggs are laid. The methods used would be determined by the Caltrans-designated biologist. Consequently, the project and measures in place to protect birds and bats appear to be generally consistent with California Department of Fish and Wildlife recommendations.

Comment from Peter Minkel, Central Valley Regional Water Quality Control Board; comment received via email with a letter attachment.

Comment 1:

From: "Minkel, Peter G.@Waterboards"
<Peter.Minkel2@waterboards.ca.gov>

Date: October 26, 2022 at 1:36:08 PM PDT

To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>

Cc: "Yang, Houa@Waterboards" <Houa.Yang@waterboards.ca.gov>, WB-RB5S-chron <RB5S-chron@waterboards.ca.gov>, state.clearinghouse@opr.ca.gov

Subject: COMMENTS TO REQUEST FOR REVIEW FOR THE NEGATIVE DECLARATION, STATE ROUTE 4 RIVER BRIDGE MAINTENANCE PROJECT (10-1H360), SCH#2022090379, CONTRA COSTA AND SAN JOAQUIN COUNTIES

Jaycee,

Enclosed are our comments for your Project. Please email if you have any questions.

Pete

Peter Minkel

401 Water Quality Certification and Dredging Unit

Central Valley Regional Water Quality Control Board

11020 Sun Center Drive, Suite 200

Rancho Cordova, CA 95670

Comment 1

Pursuant to the State Clearinghouse's 21 September 2022 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the Request for Review for the Negative Declaration for the State Route 4 River Bridge Maintenance Project (10-1H360), located in Contra Costa and San Joaquin Counties.

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

I. Regulatory Setting Basin Plan

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

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

the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three

(3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website: http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation 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

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.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.

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: 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.

Original Signed by:

Peter Minkel Engineering Geologist

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

Response to comment 1: This project is expected to create soil disturbances of less than 1 acre. Therefore, Caltrans does not qualify for coverage under the Construction General Permit. Instead, discharges of stormwater runoff from the construction sites will be covered under Caltrans' Statewide National Pollutant Discharge Elimination System Permit. The project will not need to formulate a Construction General Permit Stormwater Pollution Prevention Plan and will instead be required to formulate a Caltrans Water Pollution Control Program. In addition, as previously mentioned in the document, Caltrans will apply for a Clean Water Act Section 404 permit from the U.S. Army Corps of Engineers and a Clean Water Act Section 401 Permit – Water Quality Certification from the Regional Water Quality Control Board, which will be obtained before construction, during the design phase of the project. The Porter-Cologne Water Quality Control Act: Waste Discharge Requirements would also be followed.

**Comment from Christine Day, California State Lands Commission;
comment received via email with a letter attachment.**

From: "Day, Christine@SLC" <Christine.Day@slc.ca.gov>

Date: October 26, 2022 at 12:59:41 PM PDT

To: "Azevedo, Jaycee A@DOT" <jaycee.azevedo@dot.ca.gov>, OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>

Cc: "Kershen, Andrew@SLC" <Andrew.Kershen@slc.ca.gov>, "Lee, Ninette@SLC" <Ninette.Lee@slc.ca.gov>, "Garrett, Jamie@SLC" <Jamie.Garrett@slc.ca.gov>, "Gillies, Eric@SLC" <Eric.Gillies@slc.ca.gov>, "Dobroski, Nicole@SLC" <Nicole.Dobroski@slc.ca.gov>

Subject: State Route 4 River Bridge Maintenance Project

Hello Jaycee,

Thank you for the opportunity to review Caltrans State Route 4 River Bridge Maintenance Project Negative Declaration (SCH # 2022090379). I have attached the comment letter from California State Lands Commission.

Thank you,

Christine Day, Environmental Scientist

CALIFORNIA STATE LANDS COMMISSION

Environmental Planning and Management

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

Phone: 916.562.0027 | Email: christine.day@slc.ca.gov

Comment 1:

Subject: Negative Declaration for State Route 4 River Bridge Maintenance Project, San Joaquin and Contra Costa Counties

Dear Jaycee Azevedo:

The California State Lands Commission (Commission) staff has reviewed the Negative Declaration (ND) for the State Route 4 River Bridge Maintenance Project (Project), being prepared by the California Department of Transportation

– District 10 (Caltrans). Caltrans, as the public agency proposing to carry out the Project, is the lead agency under the California Environmental Quality Act

(CEQA) (Pub. Resources Code, § 21000 et seq.), and the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). The Commission is a trustee agency for projects that could directly or indirectly affect State sovereign land and their accompanying Public Trust resources or uses. Additionally, because the Project involves work on State sovereign land, the Commission will act as a responsible agency.

Commission Jurisdiction and Public Trust Lands

The Commission has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The Commission also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub.

Resources Code, §§ 6009, subd. (c); 6009.1; 6301; 6306). All tidelands and submerged lands granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the common law Public Trust Doctrine.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The state holds these lands for the benefit of all people of the state for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court.

After review of the information contained in the ND, the existing bridge crossing the Old River is located on State sovereign land under the jurisdiction of the Commission. In 1949, the Commission authorized the issuance of Right-of-Way Permit No. PRC 455 with Caltrans for the bridge right-of-way. Based upon the information provided and a review of our in-house records, it appears that a temporary construction easement for the Project will be located outside the existing bridge right-of-way. An application for a new lease or permit amendment will be required for any portion of the Project located on State sovereign land in the Old River outside of the existing right-of-way. Please contact Ninette Lee (information provided below) for information on the Commission's leasing jurisdiction (reference Inquiry No. 3626).

Project Description

Caltrans proposes to preserve the Old River Bridge to meet the agency's objectives and needs of ensuring the serviceability and structural integrity of the bridge.

From the Project Description, Commission staff understands that the Project would include the following components that have potential to affect State sovereign land:

- Project Component 1. Polyester concrete overlay to address the transverse and pattern deck cracks, as well as spot blasting and painting the bridge to address rust on the steel members.
- Project Component 2. Old timber waling would be removed, and the fenders on the north side of Pier 3 and the south side of Pier 2 would be supported with new high-density polyethylene walers mounted to the existing timber tiles.

Environmental Review

Commission staff requests that Caltrans consider the following comments on the Project's ND, to ensure that impacts to State sovereign land are adequately analyzed for the Commission's use of the ND when considering a future lease application for the Project.

General Comments

1. Unclear document type: The Notice of Intent for the Project states that Caltrans will be adopting a Mitigated Negative Declaration. However, within the document it is called an "Initial Study with Proposed Negative

Declaration" with no mitigation measures, but instead, best management practices for the Project. Please clarify if Caltrans will be adopting a Mitigated Negative Declaration or a Negative Declaration.

Response to comment 1: Thank you for your comment letter and for catching the document type error on the Notice of Intent. Caltrans will be adopting a Negative Declaration.

Comment 2:

2. Permits and Approvals: In Section 1.8 (page 8 of the ND), include the Commission in the Permits and Approvals table. This Project will need either a new lease or a permit amendment.

Response to comment 2: The Permits and Approvals table has been updated to include either a new lease or a permit amendment with the California State Lands Commission.

Comment 3:

3. **Project Description:** The Project Description lacks sufficient detail to understand the proposed in-water construction activities, including removal of the old timber waling and fender replacement. Additional description and illustration are needed to describe proposed construction methods, equipment and staging activities, sequencing of proposed work, and construction schedule. Provide engineering plans of the existing structure and proposed work to illustrate the structural design for proposed fender replacement and removal of the old timber waling. In particular, describe or clarify if piling removal or installation, or any other type of disturbance to the bed and bank of the river, would occur. Section 1.3 Project Description, page 2, states that “other proposed work would include work off the paved roadway, trenches, grading, or other ground disturbance...” However, it is unclear in any other section of the ND when and where ground disturbance work will be done during the Project. In addition, it is unclear in the Project Description if the polyester concrete overlay will necessitate closing the bridge, and if so, Commission staff requests an analysis of potential impacts associated with closure. Lastly, photographs of the bridge and the surrounding area would be beneficial to clarify what parts of the bridge are being repaired/preserved and what areas will be used as part of construction and will require a new lease or permit amendment from the Commission.

Response to comment 3: Plans and construction activities are currently not available but will be developed in the next phase of the project, which is the design phase. A mapping of the area of potential effect has been included in Section 1.3 Project Description to help visualize the project effect.

Comment 4:

4. **Incomplete Environmental Analysis:** The entire analysis of environmental resources in the Environmental Checklist refers to technical reports in Volume 2 of the ND. Commission staff was not able to find Volume 2 on the Caltrans website where Project documents are posted. Without Volume 2, the environmental analysis is grossly incomplete to support impact determinations. The technical reports in Volume 2 must support a project specific analysis of the Project and study area, rather than general programmatic reports for Caltrans bridge projects. The Project will affect biological resources, hydrology and water quality, cultural resources, air quality and greenhouse gas emissions, recreation, transportation, and emergency response services, among other potential resources. Without additional description and analysis to support impact determinations, Commission staff will not be able to use the current document to support an approval for the Project.

Response to comment 4: Volume 2 is available upon request. A copy has been emailed to Christine Day. Project impacts and analysis are detailed in the technical studies bounded in Volume 2 and support the determinations made in the Negative Declaration.

Comment 5:

Biological Resources

5. Impacts to aquatic sensitive species: The ND should include a description of what kinds of in-water construction equipment will be used, an analysis of impacts from underwater noise, and information on consultations that have been done or will be done with state and federal agencies.

Response to comment 5: As mentioned in the response to comment 4, Volume 2, which includes the Natural Environment Study, Biological Assessment/Essential Fish Habitat Assessment, and Aquatic Resources Delineation Report, has been emailed to Christine Day.

Comment 6:

Cultural Resources

6. Title to Resources Within Commission Jurisdiction: The ND should state that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the Commission (Pub. Resources Code, § 6313). Commission staff requests that Caltrans consult with Staff Attorney Jamie Garrett (information provided below) should any cultural resources on state lands be discovered during construction of the proposed Project.

Staff requests that the following statement be included in the ND's Best Management Practices: "The final disposition of archaeological, historical, and paleontological resources recovered on State land under the jurisdiction of the California State Lands Commission must be approved by the Commission."

Tribal Cultural Resources

7. Tribal consultation: Section 2.1.18 Tribal Cultural Resources does not state whether tribal consultation was done for the Project. Commission staff recommends that Caltrans revise the ND to expand the discussion of Tribal engagement and consideration of Tribal Cultural Resources to demonstrate compliance with AB 52 (Gatto; Stats. 2014, ch. 532), which applies to all CEQA projects initiated after July 1, 2015. AB 52 provides procedural and substantive requirements for lead agency consultation with

California Native American Tribes, including consideration of effects on Tribal Cultural

Resources (as defined in Pub. Resources Code, § 21074) and examples of mitigation measures to avoid or minimize impacts to these resources. Even if no Tribe has submitted a consultation notification request for the Project area covered by the ND, Caltrans should:

- Contact the Native American Heritage Commission to obtain a general list of interested Tribes for the Project area.
- Include the results of this inquiry within the ND.
- Disclose and analyze potentially significant effects to Tribal Cultural Resources and avoid impacts when feasible.

8. Determination of Significance: Additionally, with respect to significance

determinations, CEQA section 21084.2 states that, “A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.” When feasible, public agencies must avoid damaging Tribal Cultural Resources and shall keep information submitted by the Tribes confidential. Commission staff believes that the ND lacks adequate support for Caltrans’ conclusion that the Project will have “No Impact” to Tribal Cultural Resources (page 31 of the ND). Staff recommends that Caltrans provide additional discussion on how it determined the appropriate scope and extent of resources meeting the definition of Tribal Cultural Resources and whether locally-affiliated Tribes were consulted as part of this.

Response to comment 6: As mentioned in the response to comment 4, Volume 2, which includes the Historic Property Survey Report, Historical Resources Evaluation Report, and Archaeological Survey Report, has been emailed to Christine Day. The evaluations in these reports support the determinations made in the Negative Declaration.

Comment 7:

Hydrology

9. Water Quality: The ND must describe and illustrate the structural design of the proposed fender replacement work and include an analysis of how the work or design may impact hydrology, sedimentation, and debris flow within the Old River.

Response to comment 7: Design plan and details will be developed in the next phase, which is the design phase. A Hydraulic Report was completed on May 12, 2022, and is available upon request. The report concluded that the scope of work is mainly maintenance repairs and will not impact the floodway

opening. In addition, the project proposes to create less than 1 acre of Disturbed Soil Area and will require a Water Pollution Control Program. Construction Site Best Management Practices will incorporate Temporary Soil Stabilization, Temporary Sediment Controls, and Non-Stormwater Management.

Comment 8:

Recreation

10. Public Access: The ND should include a section describing the potential for the Project to affect recreational uses and public access to the Old River. The ND should discuss the recreational uses and access points in the Project vicinity, whether and to what extent these uses would be facilitated or disrupted by the Project (particularly with the use of a barge for Project activities), and what, if any, measures could be implemented to reduce potential negative impacts. This discussion should also identify measures Caltrans will put in place to ensure public safety for recreational activities. Measures could include a public notice and Project area signage provided in advance of the Project, notifying the public of any disruptions or creation of alternate access points or use areas.

Thank you for the opportunity to comment on the ND for the Project. As a responsible and trustee agency, the Commission will need to rely on the adopted ND when issuing a new lease. We request that you consider our comments before adopting the ND.

Send electronic copies of the adopted ND (Volume 1 and 2), Notice of Determination, and approving resolution when they become available. Please note that federal and state laws require all government entities to improve accessibility of information technology and content by complying with established accessibility requirements. (29 U.S.C. § 794d; 36 C.F.R. § 1194.1 et seq.; Gov. Code, § 7405.) California State law prohibits State agencies from publishing on their websites content that does not comply with accessibility requirements. (Gov. Code, § 115467.) Therefore, any documents submitted to Commission staff during the processing of a lease or permit, including all CEQA documentation, must meet accessibility requirements for Commission staff to place the application on the Commission agenda.

Refer questions concerning environmental review to Christine Day, Environmental Scientist, at Christine.Day@slc.ca.gov or (916) 562-0027. For questions concerning archaeological or historic resources under Commission jurisdiction, please contact Jamie Garrett, Staff Attorney, at Jamie.Garrett@slc.ca.gov or (916) 574-0398. For questions concerning Commission leasing jurisdiction, please contact Ninette Lee, Public Land Manager, at Ninette.Lee@slc.ca.gov or (916) 574-1869.

Sincerely,

Originally signed by:

Nicole Dobroski, Chief

Division of Environmental Planning and Management

cc: Office of Planning and Research

C. Day, Commission

N. Lee, Commission

J. Garrett, Commission

A. Kershaw, Commission

Response to comment 8: Caltrans produces a traffic management plan for every project it undertakes, including this one. The Old River is not a designated recreational river; however, marine traffic management during construction will be addressed during the development of the detailed construction plans and specifications for the project. This includes preparing detailed plans on when certain construction activities can occur, when lanes will be closed to minimize impacts, and preparing signage and public outreach of traffic impacts. Coordination with communities in the Delta and local and regional agencies, including the Delta Protection Commission, along with a continued discussion with the U.S. Coast Guard, will occur during the design phase and project construction. Caltrans expects that marine traffic (small vessels) will be allowed during the painting operation. However, larger vessels that require a bridge opening will be allowed to pass only at a set time of day, which will be determined during the design phase. This information will be advertised before project construction begins and may affect more vessels because the vertical clearance will be shortened due to scaffolding.

List of Technical Studies Bound Separately (Volume 2)

Air Quality Report

Noise Compliance Study

Water Compliance Memorandum

Natural Environment Study

Biological Assessment/Essential Fish Habitat Assessment

Aquatic Resources Delineation Report

Historic Property Survey Report

Historical Resources Evaluation Report

- Archaeological Survey Report

Section 4(f) De minimis Finding Memorandum

Hazardous Waste Reports

- Initial Site Assessment

Scenic Resource Evaluation

Community Impact Memorandum

Climate Change Memorandum

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

Jaycee Azevedo
District 10 Environmental Division
California Department of Transportation
1976 East Doctor Martin Luther King Junior Boulevard, Stockton, California 95205

Or send your request via email to: jaycee.azevedo@dot.ca.gov

Or call: 209-992-9824

Please provide the following information in your request:

Project title: State Route 4 River Bridge Maintenance Project

General location information: On State Route 4 in San Joaquin County

District number-county code-route-post mile: 10-SJ-4-PM 0.01/0.01

Project ID number: 1017000185