

# Comment letter from California Department of Transportation:

CALIFORNIA STATE TRANSPORTATION AGENCY

GAVIN NEWSOM, GOVERNOR

## California Department of Transportation

DISTRICT 4  
OFFICE OF REGIONAL AND COMMUNITY PLANNING  
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February 25, 2025

SCH #: 1997044002  
GTS #: 31297  
GTS ID: 04-NAP-2023-00486  
Co/Rt/Pm: NAPA/121/VAR

Richard Thomasser, Deputy Director of Public Works/District Manager  
Napa County Flood Control and Water Conservation District  
804 First Street  
Napa, CA 94559

### **Re: Napa River/Napa Creek Flood Protection Project, Increment 2 – Draft Subsequent Environmental Impact Report (SEIR)**

Dear Richard Thomasser:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for Increment 2 of the Napa River/Napa Creek Flood Protection Project. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. The following comments are based on our review of the January 2025 SEIR.

Please note this correspondence does not indicate an official position by Caltrans on this project and is for informational purposes only.

#### **Project Understanding**

The proposed project will implement measures to provide protection in the City and County of Napa from extensive flooding and associated property damage from the anticipated 100-year flood event. Increment 2 of the proposed project focuses on floodwall construction along Lincoln Avenue, floodwall closures at the Dry Bypass between McKinstry Street and West Street, and scour protection under the Lincoln Avenue Bridge. The project site is located near State Route (SR) 121 and SR 29.

#### **1 | Climate Change/Sea Level Rise**

Please keep Caltrans informed about the various climate stressors and ongoing adaptation and resilience initiatives as they are developed and implemented at this project location. Caltrans is interested in the project initiative – especially with the implementation of flood walls due to the project's proximity to SR 121 and SR 29. For

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- 1 | any questions, comments, or concerns, please feel free to contact the Caltrans Bay Area Climate Change Planning Coordinators at [D4\\_ClimateResilience@dot.ca.gov](mailto:D4_ClimateResilience@dot.ca.gov).
- 2 | **Biological Resources**

Please note that the project location may fall under the proposed 91,630 acres of critical habitat designation for longfin smelt per the United States Fish and Wildlife Service's (USFWS) proposed ruling on designation of the San Francisco Bay-Delta Distinct Population Segment (DPS) of Longfin Smelt from January 15, 2025, in Federal Register Volume 90, No. 9 ([link](#)). Please see the attachment at the end of this letter for a map of the critical habitat designation from page 19 of the Federal Register.

*SEIR pg. 86, Table 3.6-1:* Please consider updating the status of critical habitat for longfin smelt. Additional consultation with the National Marine Fisheries Service (NMFS) regarding the 1998 biological opinion (BO) and 2000 supplemental BO may be required as only Central California Coast steelhead and the southern DPS of green sturgeon were covered.

*SEIR pg. 154, Section 3.13.2:* Please consult NMFS regarding the reinitiation request on November 26, 2024 that confirmed the project would not adversely modify critical habitat for delta smelt or longfin smelt, as the request occurred prior to the above-mentioned proposed ruling of longfin smelt critical habitat.
- 3 | *SEIR pg. 154, Section 3.13.2, Impact Analysis:* It is stated that there is only one milkweed plant within the project area, while Table 3.13-5, Species Impact Analysis, states three plants were observed in the project area, and one is planned to be removed. Please clarify the number of milkweed plants in the project area.
- 4 | **Cultural Resources**

Per the SEIR, impacts to cultural resources were determined to be significant and unavoidable. Should construction activities within Caltrans' Right-of-Way (ROW) take place in relation to this project, these mitigation measures shall be implemented if there is an archaeological discovery. In compliance with the California Environmental Quality Act (CEQA), Public Resources Code (PRC) 5024.5, and Caltrans Standard Environmental Reference (SER) Chapter 2 ([link](#)), all construction within 60 feet of the find shall cease. Please immediately contact the Caltrans Office of Cultural Resources Studies (OCRS) at (510) 847-1977. A Caltrans staff archaeologist will evaluate the find within one business day after contact. If an inadvertent discovery results in the necessity of archaeological investigations within State ROW, a data recovery plan will need to be approved by the OCRS prior to any further action in the area of the find.
- 5 | **Construction-Related Impacts**

Project work that requires movement of oversized or excessive load vehicles on State

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- 5 | roadways requires a transportation permit that is issued by Caltrans. To apply, please visit Caltrans Transportation Permits ([link](#)).

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the State Transportation Network (STN).

6 | **Equitable Access**

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

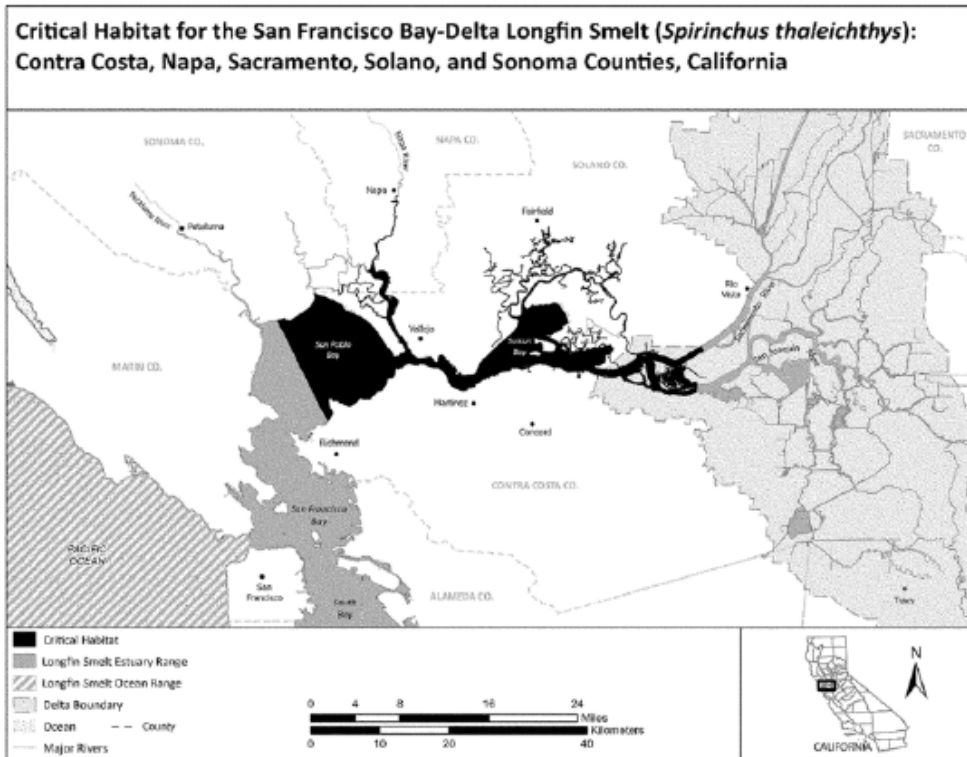
Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Luana Chen, Transportation Planner, via [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov). For future early coordination opportunities or project referrals, please visit Caltrans LDR website ([link](#)) or contact [LDR-D4@dot.ca.gov](mailto:LDR-D4@dot.ca.gov).

Sincerely,



Melissa Hernandez  
Acting Branch Chief, Local Development Review  
Office of Regional and Community Planning

c: State Clearinghouse



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## Response to Comment from California Department of Transportation (Caltrans):

### *Caltrans Comment 1*

Thank you for your review of the Draft SEIR and your comment. As requested, the District will keep Caltrans informed about climate stressors and adaptation and resilience initiatives in the Project Area, as they relate to climate change and flood control. The Project Area does not include SR 121 and SR 29, nor anticipate any direct or indirect impacts to these routes.

### *Caltrans Comment 2*

The District has reviewed the proposed critical habitat map for the San Francisco Bay-Delta Longfin Smelt (*Spirinchus thaleichthys*): Contra Costa, Napa, Sacramento, Solano, and Sonoma Counties California published by the U.S. Fish and Wildlife Service (USFWS) in the Federal Register on January 15, 2025 and the Project Area is upstream from the area defined as critical habitat. Consultation with the USFWS under the Endangered Species Act (ESA) Section 7 has occurred for the Proposed Project. The U.S. Army Corps of Engineers (USACE), as the federal lead agency for the Proposed Project, reinitiated consultation with the USFWS for the Proposed Project's effects to federally listed delta smelt and longfin smelt, which are under the USFWS's jurisdiction. The USFWS issued a response to the reinitiation request, on November 26, 2024, that determined the Proposed Project will not jeopardize the continued existence of the federally listed delta smelt and longfin smelt or adversely modify designated critical habitat for these two species. All terms and conditions, conservation measures, and reasonable and prudent alternatives and measures resulting from this reinitiated consultation as well as the previous 1999 biological opinion and 2000 supplemental biological opinion for the Napa River/Napa Creek Flood Protection Project shall be implemented in order to minimize take of endangered species and avoid jeopardizing the species. As a result, the District intends to move forward as stated and does not foresee the need to consult further with the USFWS. No revisions to the text of the Draft EIR are necessary since critical habitat for the Longfin Smelt does not overlap the Project Area and no further consultation with USFWS is anticipated.

Also as part of the ESA Section 7 compliance efforts for the Proposed Project, the USACE determined that reinitiation of formal or informal consultation with the National Marine Fisheries Service (NMFS) would not be necessary for the Proposed Project, since the 1999 biological opinion and 2000 supplemental biological opinion for the Napa River/Napa Creek Flood Protection Project are still valid and the Proposed Project effects to central California coast steelhead and the southern distinct population segment of green sturgeon would be less than what was originally determined in both of those respective biological opinions. The NMFS confirmed that reinitiation of consultation was not necessary on October 16, 2024. As a result, the District intends to move forward as stated and does not foresee the need to consult further with the NMFS.

### *Caltrans Comment 3*

As a result of this comment, the text has been revised in Section 3.13.2, *Impact Analysis, Method of Analysis* (page 133 of the Draft SEIR/ page 154 of the pdf copy of the Draft SEIR):

At the time of the Endangered Species Act Section 7 Supplemental Biological Assessment submission, USFWS was not issuing consultations on northwestern pond turtle and Monarch butterfly. Nonetheless, the USFWS concurred with the findings of the Supplemental Biological Assessment that the Proposed Project is not likely to adversely affect the northwestern pond turtle and Monarch butterfly. During surveys, three milkweed host plants within the Proposed Project Area were observed. One milkweed host falls within the construction footprint of the Proposed Project Area, so impacts to Monarch butterfly would be negligible.

### *Caltrans Comment 4*

As stated in the Draft SEIR, mitigation has been prescribed for the Proposed Project's impacts on archaeological resources. A Mitigation Monitoring and Reporting Program has been prepared for the Proposed Project for adoption and implementation. All mitigation required for the Proposed Project will be implemented and monitoring requirements will be adhered to. The Proposed Project is not anticipated to encroach on Caltrans right of way. If the Proposed Project will encroach on Caltrans right of way and an archeological discovery is made within the Caltrans right of way, the District will contact the Caltrans Office of Cultural Resource Studies as requested.

### *Caltrans Comment 5*

The District will coordinate with Caltrans if a transportation permit for oversized or excessive load vehicles on State roadways is required for construction. The District and District's contractor will develop a Traffic Control Plan per Mitigation Measure TRA-2. The District will coordinate with Caltrans if there are anticipated construction traffic impacts to the State Transportation Network.

### *Caltrans Comment 6*

The District will coordinate with Caltrans if any Caltrans facilities will be impacted by the Proposed Project. At this time, the Proposed Project is not anticipated to impact any Caltrans facilities directly. The District will ensure that American Disabilities Act (ADA) Standards are met and bicycle and pedestrian access is maintained for Caltrans facilities during construction.