Sutter County
Initial Study

1. Project title:	Brewer Road Bridge Replacement Project
2. Lead agency name and address:	Sutter County Public Works, Public Works 1130 Civic Center Boulevard, Yuba City CA 95993
3. Contact person and phone number:	Neal Hay, Senior Civil Engineer, PE, Sutter County Development Services/Engineering 530-822-7400
4. Project sponsor's name and address:	Sutter County 1130 Civic Center Boulevard, Yuba City, CA 95993
5. Project Location:	The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road and is approximately five miles east of State Route 99.
6. General Plan Designation:	Transportation, Agriculture
7. Zoning Classification:	Parcels in the vicinity are Zoned General Agricultural (AG).

8. Description of project:

Sutter County is proposing to rehabilitate the existing Brewer Road Bridge over Coon Creek located in south Sutter County. The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road and is approximately five miles east of State Route 99. The existing crossing is comprised of three 10–foot-wide corrugated metal pipes covered with engineered fill and asphalt paving for the roadway. In December of 2012, the Sutter County Public Works Department was notified this bridge was failing due to the complete collapse of one of the metal pipes and partial collapse of a second. Sutter County closed public access to this crossing in December 2012 and began preliminary engineering and environmental documentation for a rehabilitation of this crossing.

Rehabilitation of the Brewer Road Bridge will be accomplished through removal and replacement of the three metal pipe culverts. The County expects to use either replacement metal pipes of a similar size covered in engineered fill or a reinforced concrete pipe covered in fill. The replacement culverts will provide equal or greater hydraulic capacity to the channel, but will be realigned to better accommodate the flow of the creek. The bridge width will remain the same width at 24 feet, and approximately a length of 151 feet of pavement will be replaced during construction. Rock slope protection is proposed to be restored on both sides of the rehabilitated bridge crossing to minimize the potential for scour and future failure of the replacement culverts.

Phased construction and implementation of a diversion of the creek will be used to separate construction activities with the live creek channel. The first phased diversion will be placed on the north side of the creek forcing the water through the existing southern-most culvert pipe. The middle and northern most culvert pipes will be replaced behind the protection of the diversion. Once completed, the first diversion will be removed and the second will be installed on the southern side, forcing water through the (new) northern-most culvert pipe. The southern pipe will be replaced, covered in fill, and the second diversion will be removed. Once the fill is completely installed and rock slope protection installed to prevent scour, the crossing will be paved and will conform with the existing Brewer Road, both north and south of Coon Creek.

9. Surrounding land uses and setting: The project area is surrounded by Agricultural land uses (rice fields) and Coon Creek.

10. Other public agencies whose approval is required: Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, US Fish and Wildlife Service, National Oceanic and Atmospheric Administration (National Marine Fisheries Division).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural/Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☒ Hazardous Materials	☒ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/Service Systems	

☒ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Applicant Mitigation Agreement:

CEQA allows a project proponent to make revisions to a project, and/or to agree and comply with, mitigation measures that reduce the project impacts such that the project will not have a significant effect on the environment. CEQA Guidelines Section 15064.

As the applicant/representative for this proposed project, I hereby agree to implement the proposed mitigation measures and mitigation monitoring program identified within this document.

Signature of preparer — Date: 1/3/14

Doug Libby, AICP
Principal Planner — Date: 1/3/14

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Responses:

a) **No Impact:** The Sutter County/Brewer Road Bridge over Coon Creek Project is not located in or within the vicinity of a scenic vista or state scenic highway. The General Plan Background Report identifies geographic features such as the Sutter Buttes, Feather River, Sacramento River, Bear River and the valley's orchards as scenic resources within the county which contribute to the county's character. The project location is located over 24 miles southeasterly of the Sutter Buttes and at least 4.5 miles from the Bear and Feather Rivers. Additionally, this area is used to grow rice with no orchards being located within 2.5 miles of the project site. Given the project's distance from the Sutter Buttes and all rivers, it is not anticipated to substantially alter area vistas and will not affect any scenic vista either of or from the property and a less than significant impact is anticipated.

b) **No Impact:** This project will replace a bridge due to a structural failure. The Brewer Road Bridge over Coon Creek is currently an unsafe crossing due to the complete collapse of one of the metal pipes and partial collapse of a second. There are no scenic resources inventoried by the County General Plan in this area and there are no scenic highways within Sutter County. . The project may require some vegetation and/or tree removal during construction to provide enough room for construction vehicle access; however, the project will not substantially impact or damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway, see Figures 1 and 2.

c) **No Impact:** In spite of the minor vegetation/tree removal, the project will not degrade the existing visual character or quality of the site and its surroundings. As stated in the response above, the project will replace an existing bridge with a bridge of similar size and design and no impacts are anticipated.

d) **No Impact**: This project does not include new lighting; therefore, it will not introduce a new source of substantial light or glare. As a result lighting will not adversely affect day or nighttime views and no impacts are anticipated.

(County of Sutter, 2030 General Plan. 2008)

Source: ESRI Maps 2013; Dokken Engineering 11/12/2013; Created By: J. Hovis

0 0.5 1 1.5 2 Miles

FIGURE 1
PROJECT VICINITY

Brewer Road Bridge Over Coon Creek Replacement Project
Sutter County, California

V:\2011 Brewer RdIF2 Location 6-10-13.mxd

Source: ESRI Maps 2013; Dokken Engineering 11/12/2013; Created By: jamesh

0 0.25 0.5 0.75 1 Miles

FIGURE 2
Project Location

Brewer Road Bridge Over Coon Creek Replacement Project
Sutter County, California

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURAL RESOURCES In determining whether agricultural 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 Dept. 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would this project:				
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, 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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b, c, d, e) **No Impact:** The purpose of the Brewer Road Bridge Replacement Project is to improve the failing Brewer Road crossing over Coon Creek. This project is located adjacent to Prime Farmland (NRCS Soil Survey, 2013); however, the proposed construction area would occur exclusively on County owned right-of-way or within the Coon Creek. As a result, no

temporary or permanent impacts are expected to occur to the adjacent farmland or to farming activities, nor would be project convert any agricultural land to a non-agricultural use. Furthermore, this project would reopen an important crossing over the Coon Creek which is predominantly used by land owners in the vicinity for agricultural activities.

No negative impacts to Farmlands of any kind are expected as a result of this project. The project area does not include Unique Farmland, or Farmland of Statewide Importance, nor is any land under Williamson Act contract. The project would not conflict with existing zoning nor would it result in the loss of forest land or conversion of forest land to non-forest use as there is no forest land within the project area.

(U.S. Department of Agriculture, Soil Conservation Service Soil Survey – Sutter County, 1988. California Dept. of Conservation, Farmland Mapping and Monitoring Program, Soil Candidate Listing or Prime Farmland of Statewide Importance, 1995)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with, or obstruct implementation of, the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing, or projected, air quality violation?	☐	☐	☒	☐
c) 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 (including releasing emissions which exceed quantitative threshold for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Responses:

a) **No Impact:** The proposed project would not conflict with the applicable air quality plan because the project proposes to replace an existing bridge with a bridge of similar size and design.

b, c) **Less than Significant Impact:** The proposed project is located within the Sacramento Valley Air Basin in the region administered by the Feather River Air Quality Management District (FRAQMD). The FRAQMD administers air quality in all of Sutter County. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. As shown in Table 1, according to the California Ambient Air Quality Standards (CAAQS) the project area is designated as a non-attainment area for ozone, $PM_{2.5}$ and PM_{10}.

Table 1: Attainment Status in the Project Area

Pollutant	Attainment Status	
	Federal	State
O_3 – 1-hour	Unclassified/Attainment	Nonattainment
O3 – 8-hour	Unclassified/Attainment	Nonattainment
PM10	Unclassified	Nonattainment

PM2.5	Nonattainment	Nonattainment
CO	No Federal Standard	Attainment
NO2	Unclassified/Attainment	Attainment
SO2	Unclassified/Attainment	Attainment
Sulfates	No Federal Standard	Attainment
Lead	Attainment	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility Reducing Particles	No Federal Standard	Unclassified
Source: CARB 2010		

d, e) **Less than Significant Impact with Mitigation Incorporated:** During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by excavation, hauling, and other activities related to construction. Emissions from construction equipment also are anticipated and would include carbon monoxide (CO), nitrogen oxides (NO_x), volatile organic compounds (VOCs), directly-emitted particulate matter (PM_{10} and $PM_{2.5}$), and toxic air contaminants such as diesel exhaust particulate matter. Ozone is a regional pollutant that is derived from NO_x and VOCs in the presence of sunlight and heat.

Heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, VOCs and some particulate matter in exhaust emissions. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Dust generated will result in a temporary, local impact, limited to areas of construction. Dust control practices will be incorporated into the project to mitigate this potential impact.

Each of the above impacts are construction related, temporary, and with inclusion of air quality AQ-1 through AQ-3 consistent with the requirements of Sutter County General Plan and the FRAQMD, these impacts would be reduced to a less than significant level. Air Quality measures will be included as Standard Provision in the construction contract and will be monitored by the Resident Engineer.

Each of the above impacts are construction related, temporary, and with inclusion of air quality AQ-1 through AQ-3 consistent with the requirements of Sutter County General Plan and the FRAQMD, these impacts would be reduced to a less than significant level. Air Quality measures will be included as Standard Provision in the construction contract and will be monitored by the Resident Engineer.

(Feather River Air Quality Management District. 1998. *Indirect Source Review Guidelines,* Feather River Air Quality Management District. 2003. *Northern Sacramento Valley 2003 Air Quality Attainment Plan*.)

Measures:

AQ-1: When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

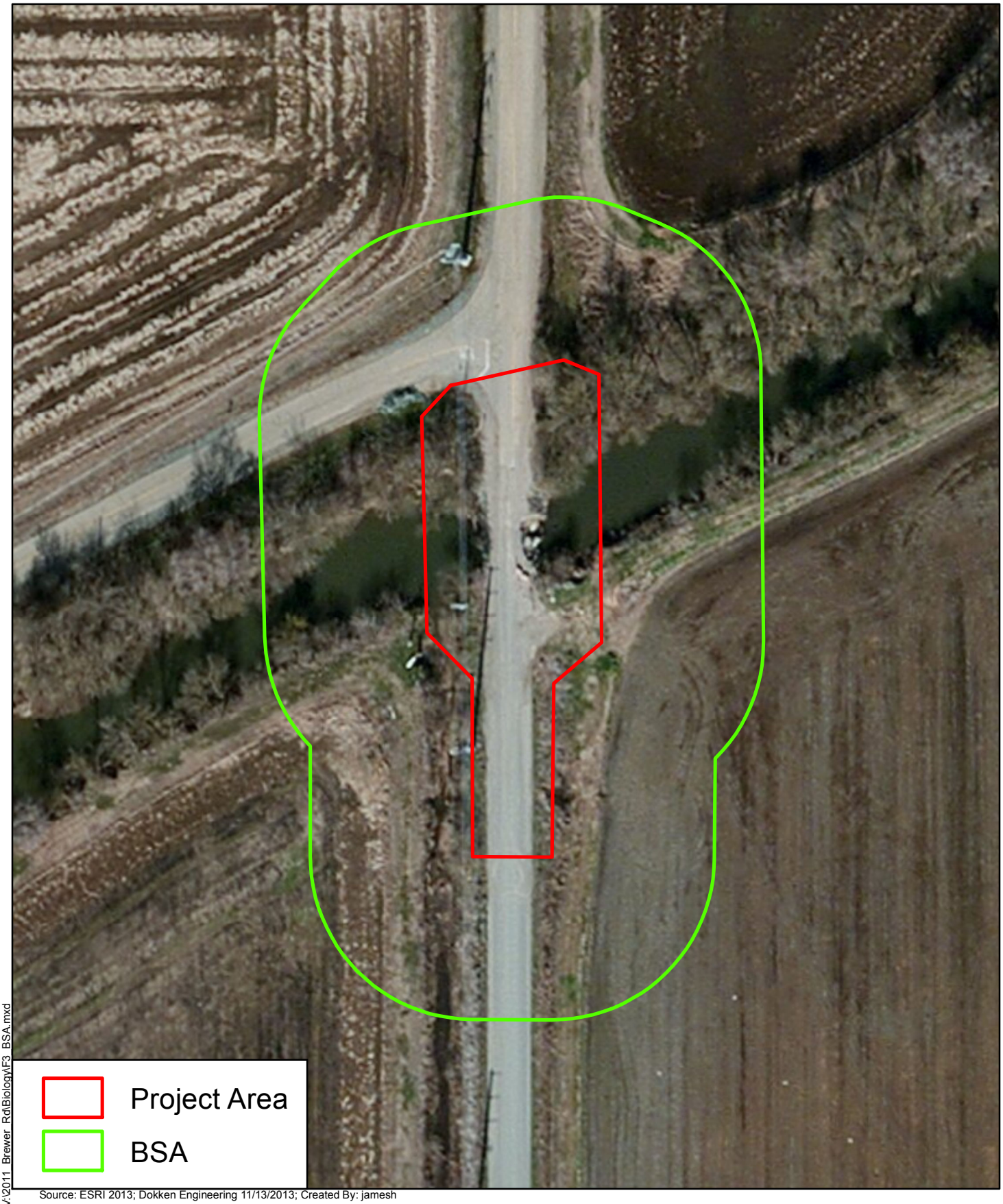
AQ-2: Limit area subject to excavation, grading, and other construction activity at any one time.

AQ-3: Reduce idling time for vehicles.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES Would the project:				
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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 a native wildlife nursery site?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Responses:

a) **Less Than Significant Impact with Mitigation:** On June 13, 2013, Dokken biologists surveyed the BSA (Figure 3 Biological Study Area). Based on the June 13, 2013 survey results and literature research the Swainson's hawk (*Buteo swainsoni*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), Central Valley steelhead (steelhead) (*Oncorhynchus mykiss*), western pond turtle (*Emys marmorata*), and giant garter snake (*Thamnophis gigas*) were determined to have low to moderate chances of occurrence within the biological study area (BSA). None of the special status species were observed during the biological survey, however potentially suitable habitat for each species was determined to be present within the BSA. Common wildlife and plant species observed within the BSA can be found in Table 2 and Table 3.



V:\2011_Brewer_Rd\Biology\F3_BSA.mxd

Source: ESRI 2013; Dokken Engineering 11/13/2013; Created By: jamesh

0 50 100 150 200 Feet

FIGURE 3
Biological Study Impacts

Brewer Road Bridge over Coon Creek Replacement Project
Sutter County, California

Table 2: Wildlife Species and Sign Observed Within the BSA

Common Name	Scientific Name	Native (N)/ Non-native (X)
Avian		
Red tailed hawk	Buteo jamaicensis	N
American Cliff swallow	Petrochelidon pyrrhonota	N
Turkey vulture	Cathartes aura	N
Spotted towhee	Pipilo maculatus	N
American Bushtit	Psaltriparus minimus	N
Common yellowthroat	Geothlypis trichas	N
Yellow warbler	Setophaga petechia	N

Table 3: Plants Observed Within the BSA

Common Name	Scientific Name	Native (N)/ Non-native (X)
Box elder	*Acer negundo*	N
Poison oak	*Toxicodendron diversilobum*	N
Curly dock	*Rumex crispus*	X(invasive)
Yellow star thistle	*Centaurea solstitialis*	X(invasive)
Wild oat	*Avena fatua*	X(invasive)
Nutsedge species	*Cyperus* sp.	
Mistletoe	*Viscum album*	X
Sow thistle	*Sonchus* sp.	X
Brass button	*Cotula coronopifolia*	X
Wild radish	*Raphanus raphanistrum*	X
California Button-willow	*Cephalanthus occidentalis* var. *californicus*	N
California Mugwort	*Artemisia douglasiana*	N
Scarlet pimpernel	*Anagallis arvensis*	X
Blue oak	*Quercus douglasii*	X(invasive)
Oregon ash	*Fraxinus latifolia*	N
Black locust	*Robinia pseudoacacia*	X
Walnut sp.	*Juglans* sp.	N
Fig sp.	*Ficus* sp.	X

Swainson's Hawk

The Swainson's hawk is listed as threatened under the California Endangered Species Act (CESA) and is a migratory bird species protected under the federal Migratory Bird Treaty Act (MBTA). During the June 13, 2013 biological surveys, no sign of Swainson's hawk was observed, but the BSA contains some large diameter trees potentially suitable for nesting. However, the riparian corridor within the BSA is very disturbed and is anticipated to be less desirable for Swainson's hawk nesting compared to the more intact riparian habitats located up

and down stream of the project. Foraging habitat at the site is also very limited as the surrounding land has been almost entirely converted to rice fields.

Project activities will be limited to replacing Brewer Road Bridge along Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions to the creek. The project does anticipate removing riparian vegetation, including large diameter trees directly adjacent to the bridge. Any trees that are removed, as part of the project, will be replaced after completion of the new bridge. Considering the disturbed riparian habitat within the BSA, the protection of native vegetation, and the short duration of minimally disruptive project activities, no impacts to Swainson's hawk are anticipated. Further, incorporating **BIO-1** through **BIO-6** into the project design will minimize and avoid potential impacts to the Swainson's hawk.

Western yellow-billed cuckoo

The western yellow-billed cuckoo is listed as threatened under California Endangered Species Act (CESA), and is a candidate for listing under Federal Endangered Species Act (FESA). During the June 13, 2013 biological surveys, no sign of western yellow-billed cuckoo was observed. However, the BSA does contain the required riparian habitat with a dense understory. The BSA also contains the preferred nesting sites of willows. The riparian corridor within the BSA is very disturbed and is anticipated to be less desirable compared to the more intact riparian habitats located up and down stream of the project.

Project activities will be limited to replacing Brewer Road Bridge along Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions to the creek. The project does anticipate removing riparian vegetation, including large diameter trees directly adjacent to the bridge. Any trees that are removed for the project will be replaced after completion of the new bridge. Considering the disturbed riparian habitat within the BSA, the protection of native vegetation, and the short duration of minimally disruptive project activities, no impacts to western yellow-billed cuckoo are anticipated. Further, incorporating **BIO-1** through **BIO-6** into the project design will further minimize and avoid potential impacts to the western yellow-billed cuckoo.

Central Valley Steelhead

The steelhead is listed as threatened under the Federal Endangered Species Act (FESA) (63 Federal Register [FR] 13347, March 19, 1998). This distinct population segment consists of steelhead in the Sacramento and San Joaquin River basins in the Central Valley. The Feather River Hatchery and the Coleman National Fish Hatchery steelhead populations, although previously included in the DPS, were not part of the listed steelhead population until January 5, 2006 (74 FR 834). The final rule designating steelhead Critical Habitat was issued September 2, 2005 (70 FR 52614).

The Feather River and Coon Creek in the vicinity of the project area has been documented to contain adult and juvenile steelhead. Mature steelhead utilize the creek within the project area as a migratory corridor, migrating to spawning habitat between September and March (Department of Water Resources 2004a). Although juveniles are believed to be present and emigrating within the Lower Feather River year round, data from previous fish surveys indicate the peak in juvenile emigration occurs from February-June (California Department of Water Resources 2003). The project is located within designated steelhead Critical Habitat. As a result of this species presence and its Critical Habitat within the project area, Section 7 Consultation between the Army Corps of Engineers as the Lead NEPA Agency and the National Marine

Fisheries Service (NMFS) as the consulted agency. A Biological Assessment (BA) was prepared to document the anticipated impacts to steelhead and steelhead Critical Habitat.

Potential project-related direct effects to steelhead include the temporary increase in sedimentation and turbidity, fish stranding behind temporary barriers and the risks associated with accidental spills of hazardous chemicals and materials to waters. In addition, the project will temporarily affect an approximate 0.7 acre of steelhead Critical Habitat from temporary earthen diversion barriers; no permanent affects to steelhead Critical Habitat will occur. BMPs incorporated into the project plans, will minimize turbidity effects to Critical Habitat. Considering the duration of project activities, the size of the project, and incorporating **BIO-7,** through **BIO-16** into the project design, potential impacts to steelhead and steelhead Critical Habitat are anticipated to be minimal. Additional measures may be required by the NMFS through Section 7 Consultation, and if so added, will become part of the County's mitigation obligations to ensure that impacts to this federally listed threatened species are less than significant.

Western Pond Turtle

The western pond turtle is not a State or Federally listed species, but is a California Department of Fish and Wildlife (CDFW) Species of Special Concern. During the June 13, 2013 biological surveys, no sign of western pond turtle was observed, but could occur within the project vicinity. Coon Creek occurs within the project limits and its channel and banks have potentially suitable basking sites with limited reproductive upland habitat.

Project activities will be limited to replacement of Brewer Bridge over Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions. The project will result in temporary disturbance of 0.07 acre of upland habitat as a result of construction activities (e.g., access, short-term storage) as well as temporary effects to 0.07 acre of aquatic habitat in Coon Creek due to creek dewatering during removal of the existing culverts and fill. Considering the surrounding agricultural development, the disturbed riparian habitat within the BSA, and the short duration of minimally disruptive project activities, potential impacts to the western pond turtle are anticipated to be minimal and will not impact the viability of the overall population. Further, incorporating **BIO-3** through **BIO-6** into the project design will further minimize and avoid potential impacts to the western pond turtle.

Giant Garter Snake

The giant garter snake is State and Federally listed as a Threatened species. During the June 13, 2013 biological surveys, no sign of giant garter snake was observed, but it could occur within the project vicinity. Coon Creek occurs within the project limits and its channel and banks have potentially suitable basking sites with limited reproductive upland habitat.

Project activities will be limited to replacement of Brewer Bridge over Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions. The project will result in temporary disturbance of 0.07 acre of upland habitat as a result of construction activities (e.g., access, short-term storage) as well as temporary effects to 0.07 acre of aquatic habitat in Coon Creek due to creek dewatering during removal of the existing culverts and fill. Considering the surrounding agricultural development, the disturbed riparian habitat within the BSA, and the short duration of minimally disruptive project activities, potential impacts to the giant garter snake are anticipated to be minimal and will not impact the viability of the overall population.

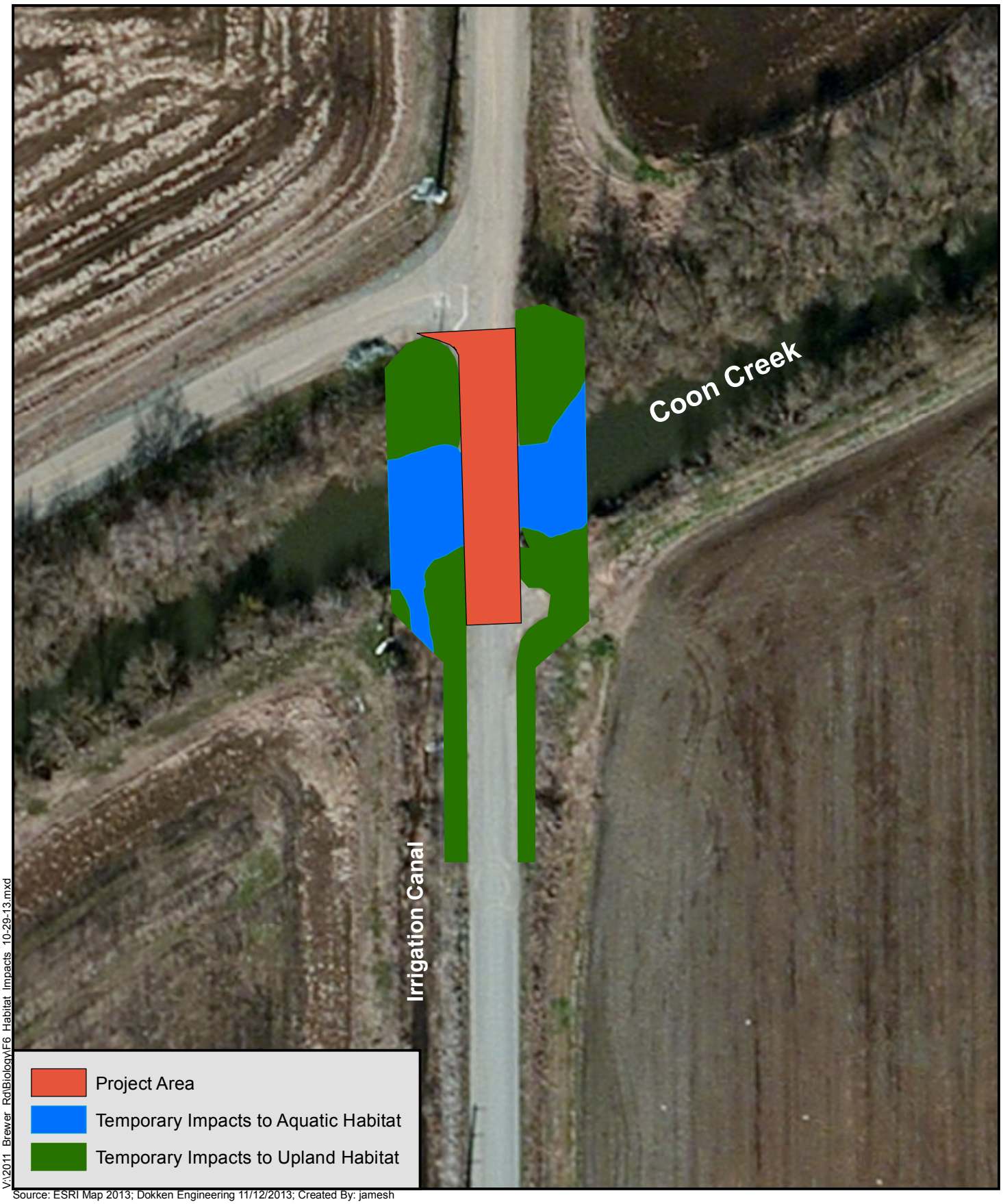


FIGURE 4
Impacts to Giant Garter Snake Habitat

Brewer Road Bridge Over Coon Creek Replacement Project
Sutter County, California

Table 4: Summary of Giant Garter Snake Conservation Measures

	EFFECTS: DURATION	EFFECTS: ACRES	CONSERVATION MEASURE: COMPENSATION
LEVEL 1	1 season	Will not exceed 20 and temporary	Restoration
LEVEL 2	2 seasons	Will not exceed 20 and temporary	Restoration plus 1:1 replacement
LEVEL 3	More than 2 seasons and temporary	Will not exceed 20 and temporary	3:1 replacement (or restoration plus 2:1 replacement)
	Permanent loss	Will not exceed 3 acres total giant garter snake habitat AND Less than 1 acre aquatic habitat;	3:1 replacement

* A season is defined as the calendar year period between May 1 and October 1, the active period for giant garter snake when mortality is less likely to occur.

Giant garter snake habitat includes 2.0 acres of surrounding upland habitat for every 1.0 acre of aquatic habitat. The 2.0 acres of upland habitat also may be defined as 218 linear feet of bankside habitat which incorporates adjacent uplands to a width of 200 feet from the edge of each bank. Each acre of created aquatic habitat should be supported by two acres of surrounding upland habitat. Compensation may include creating upland refuges and hibernacula for the giant garter snake that are above the 100-year floodplain.

The project will result in less than 20 acre of temporary impacts to giant garter snake habitat lasting one season. The project will not result in a net permanent loss of giant garter snake habitat. Due to these factors, it was determined that the project will qualify under Level 1 or impacts. Following project completion, the impacts shall be mitigated by restoration of giant garter snake habitat affected during project construction.

Measures **BIO-17** through **BIO-29** have been incorporated into the project design to minimize and avoid potential impacts to the giant garter snake.

Migratory Birds

Native birds, protected under the MBTA and similar provisions under CFG code, currently nest or have the potential to nest within the BSA and the project impact area. During the biological surveys, evidence of potentially suitable nesting habitat was observed within the trees and shrubs within the proposed project BSA. Considering the short duration of minimally disruptive project activities, and the implementation of **BIO-1** the project will minimize potential impacts to migratory birds.

During the biological survey of the project area, numerous cliff swallows (*Petrochelidon pyrrhonota*) were observed nesting in the project area. Numerous nests were observed in the corrugated metal pipes that are part of the existing Brewer Road Bridge. Measure **BIO-2** will ensure that impacts to nesting swallows are minimized and remain less than significant.

b) **Less Than Significant With Mitigation:** The existing 24 foot Brewer Road Bridge over Coon Creek will be removed and replaces with a similar 24 foot bridge. Valley Foothill Riparian/Valley Oak Woodland occurs along Coon Creek within the BSA. This community has a tree canopy

consisting of Blue oak (Quercus douglasii), Oregon ash (Fraxinus latifolia), Box Elder (Acer negundo), Black locust (Robinia pseudoacacia), Walnut (Julans sp.), and Fig (Ficus sp.). The understory consists of shrubs and herbaceous species such as California button willow (Cephalanthus occidentalis var. californicus), Oregon ash (Fraxinus latifolia), and Poison oak (Toxicodendron diversilobum). The project will result in direct temporary effects to 0.07 acre of Riparian habitat as a result of construction activities (e.g., access, short-term storage).

Based on the June 2013 survey results, Coon Creek, a channelized creek feature likely acts as a migration corridor for wildlife in the area. The permanent water source matched with the adjacent riparian and woodland vegetation creates conditions for wildlife to disperse throughout the region. As the project is replacing an existing facility, any impacts to wildlife migrations associated with project construction will be temporary. To reduce potential impacts to wildlife, construction will be minimized at night, the likely peak in wildlife usage for migration purposes. At project completion, usage of the channel and associated riparian habitat as a migration corridor will be restored.

There are jurisdictional waters of the U.S. and State within the BSA. The project anticipates to temporarily impact approximately 0.07 acres of Waters of the State and Waters of the U.S. No permanent impacts to waters of the State or waters of the U.S. are anticipated (Figure 6 Project Impacts). The proposed project has been designed to minimize all temporary and permanent impacts to the maximum extent practicable through the use of BMPs, implementation of regulatory permit conditions, and mitigation measure **BIO-30.**

c) **No Impact:** The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No wetlands were observed in the BSA.

d) **Less than significant:** The project will minimally interfere with the movement of migratory fish. Project activities will be limited to earthen diversions of Coon Creek, which is known to support migratory steelhead. However, only a small portion of Coon Creek will be impacted and project activities will divert the creek flow only within the existing channel, but not interrupt the flow of the creek. Construction will take place between June 1 and August 30, avoiding the steelhead spawning migration period.

e) **No Impact:** The proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy, because Sutter County has not adopted such an ordinance. Therefore no impact is anticipated. This project is consistent with Sutter County General Plan for Open Space, Conservation, and Biological protection. Impacts to biological resources along Coon Creek will be avoided and minimized to the greatest extent possible (County of Sutter, 2030 General Plan. 2008).

f) **Less than Significant Impact:** The project is located within the boundary of the proposed Yuba Sutter Regional Conservation Plan (YSRCP). This proposed project is a culvert restoration and rehabilitation and does not propose any uses that will conflict with the YSRCP. Additionally, no plan has been completed or adopted at this time, therefore a less than significant impacts is anticipated. As discussed above, Sutter County will coordinate directly with USACE, NMFS, USFWS, CDFW, and other resource agencies directly to ensure that this project does not adversely affect protected biological resources which could occur within the project area.

Measures:

BIO-1: To ensure compliance with MBTA and CDFW code, vegetation removal and work should be avoided outside the nesting season (defined as February 15 – August 15). If this is not possible and vegetation removal or work is to occur during the nesting season, a pre-construction survey shall be conducted. The pre-construction survey shall be performed by a qualified biologist, to determine the presence of nesting birds and ensure active nests are not directly or indirectly impacted during construction. The pre-construction survey area will include the limits of the project impact area plus a 300-ft buffer. If work is planned to begin in an area during the nesting season (February 15 – August 15), all vegetation removal shall be completed within two weeks of the nesting survey if the survey determines no active nests are present.

BIO-2: If construction on the existing bridge is planned to occur during the swallow nesting season, measures shall be taken to avoid impacts to migratory swallows. To protect migratory swallows, unoccupied nests will be removed from the existing bridge structure prior to the nesting season (March 1 – August 15). During the nesting season, the bridge structure shall be maintained through the active removal of partially constructed nests. Swallows can complete nest construction in approximately 3 days. After a nest is completed, it can no longer be removed until an approved biologist has determined that all birds have fledged and the nest is no longer being used.

BIO-3: Prior to initiating construction, orange snow fence shall be installed along the Environmentally Sensitive Area (ESA) boundaries to prevent encroachment into the riparian areas adjacent to the construction site.

BIO-4: Project-related vehicles and construction equipment shall be restricted to designated work areas.

BIO-5: The contractor shall dispose of all food-related trash in closed containers, and shall remove it from the project area each day during the construction period. Construction personnel shall not feed or otherwise attract wildlife to the project area.

BIO-6: If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.

Sensitive Fish

BIO-7: All construction work that will take place in the live channel must occur between June 1 and August 30 to minimize project effects during the adult steelhead migration season (September-March).

BIO-8: In-channel work will not be conducted at night to afford fish quiet, unobstructed passage during night time migratory hours.

BIO-9: Prior to dewatering, a qualified biologist will prepare and implement a fish salvage plan to recover any individuals entrapped behind construction barriers. The fish salvage plan will receive approval from NMFS prior to initiating any in-channel work. At a minimum the plan will incorporate the following:

- Provide for the collection, transfer and release of all entrapped sensitive fish by a qualified biologist to a designated location downstream of project activities,
- Recordation of the electrical conductivity, temperature (water and air), and pH within both the enclosure and within the free flowing river, and
- Ensure all rescued sensitive fish be kept in aerated water and at appropriate temperatures at all times prior to release.

BIO-10: Following the placement of the phase 1 and phase 2 water diversions but prior to dewatering, two fish rescues as described in the prepared fish salvage plan must be conducted. Additional fish rescues will be required for any new locations or actions not specified above requiring diversions or dewatering to prevent entrapment of sensitive fish.

BIO-11: To minimize the potential for accidental spills of materials hazardous to the aquatic environment, a Spill Prevention Control and Countermeasure Plan (SPCCP) will be prepared.

BIO-12: Contract specifications will include the following BMPs, where applicable, to reduce erosion during construction.

- Scheduling. A specific work schedule will be implemented to coordinate the timing of land disturbing activities and the installation of erosion and sedimentation control practices to reduce on-site erosion and off-site sedimentation.
- Preservation of Existing Vegetation. Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, landscape beautification, dust control, pollution control, noise reduction, and shade.
- Mulching. Loose bulk materials will be applied to the soil surface as a temporary cover to reduce erosion by protecting bare soil from rainfall impact, increasing infiltration, and reducing runoff.
- Soil Stabilizers. Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities.
- Slope Roughening/Terracing/Rounding. Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, aiding in the establishment of vegetative cover from seed.

BIO-13: Project activities that may affect the flow of the river through placement of fill, bridge construction, or dewatering of the channel must comply with the 2001 NMFS Guidelines for

Salmonid Passage at Stream Crossings, where applicable. The guidelines include but are not limited to:

- a minimum water depth (12 inch for adults and 6 inch for juveniles) at the low fish passage,
- a maximum hydraulic drop of 1 foot for adults and 6 inches for juveniles,
- avoidance of abrupt changes in water surface and velocities, and
- structures shall be aligned with the stream, with no abrupt changes inflow direction upstream or downstream of the crossing.

BIO-14: All water pumping or withdrawal from the river must comply with 1997 NMFS Fish Screening Criteria for Anadromous Salmonids, where applicable, to avoid entrainment of fish. The criteria include but are not limited to the following:

- screen design must provide for uniform flow distribution over the surface of the screen,
- screen material openings must not exceed 3/32 inches for fry sized salmonids and shall not exceed 1/4 inch for fingerling sized salmonids,
- where physically practical, the screen must be constructed at the diversion entrance. The screen face should be generally parallel to river flow and aligned with the adjacent bankline,
- the design approach velocity must not exceed 0.33 feet per second for fry sized salmonids or 0.8 feet per second for fingerling sized salmonids, and
- the screen design must provide for uniform flow distribution over the surface of the screen.

BIO-15: Pursuant to Executive Order 13112 and the control of invasive species:

- Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spreading of noxious weeds.
- All landscaping and revegetation must consist of a biologist approved plant or seed mix comprised of native, locally adapted materials.

BIO-16: The County will prepare a riparian restoration plan to be reviewed and approved by USACE, the Central Valley Flood Protection Board (CVFPB), NMFS, and any other applicable agencies prior to construction. This plan will include restoration of areas impacted by the proposed Project, and will aim to establish a healthy riparian corridor around the river.

Giant Garter Snake

BIO-17: Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat, except as described in the project description.

BIO-18: Construction activity within giant garter snake habitat shall be conducted between May 1 and October 1.

BIO-19: Construction personnel shall participate in a USFWS-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the FESA. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.

BIO-20: Within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the USFWS's Sacramento Fish and Wildlife Office. The biologist will provide the USFWS with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. Information that should be included in a field report form is provided in the USFWS Programmatic Biological Opinion. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the FESA. The biologist shall be required to report any incidental take to the USFWS immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.

BIO-21: Movement of heavy equipment to and from the project site shall be restricted to established roadways to minimize habitat disturbance.

BIO-22: Preserved giant garter snake habitat shall be designated as Environmentally Sensitive Areas and shall be flagged by a qualified biologist approved by the USFWS and avoided by all construction personnel.

BIO-23: After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas shall be restored to pre-project conditions. Restoration work may include replanting vegetation and shall be consistent with the guidelines provided in BIO-24 below.

BIO-24: Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below.

a) Restoring of giant garter snake habitat includes minimizing impacts of project activities to the existing habitat, including using silt fencing, designating environmentally sensitive areas, using protective mats, preventing runoff, and providing worker awareness training.

b) Remove all construction debris and stockpiled materials.

c) Regrade area to preexisting contour, or a contour that would improve restoration potential of the site.

d) Replant and hydroseed the restoration area. Recommended plantings consist of a) wetland emergents, b) low-growing cover on or adjacent to banks, and c) upland plantings/hydroseeding mix to encourage use by other wildlife. Riparian plantings are not appropriate because shading may result in lack of basking sites. Native plantings are encouraged except where nonnatives will provide additional values to wildlife habitat and will not become invasive in native communities. The applicant shall obtain cuttings, plantings, plugs, or seeds, from local sources wherever possible. The applicant shall attempt to restore conditions similar to that of adjacent or nearby habitats.

    i) Emergent wetland plants recommended for giant garter snake habitat are California bulrush, cattail, and water primrose. Additional wetland plantings may include common tule, Baltic rush, or duckweed.

    ii) Cover species on or adjacent to the bank may include California blackberry, or wild grape, along with the hydroseeding mix recommended below.

    iii) Upland plantings/hydroseeding mix: disturbed soil surfaces such as levee slopes shall be hydroseeded to prevent erosion. The Service recommends a mix of at least 20-40 percent native grass seeds [such as annual fescue, California brome, blue wildrye, and needle grass, 2-10 percent native forb seeds, five percent rose clover, and five percent alfalfa. Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses (such as wild oats, wheat, and barley). The hydroseed mix shall not include aggressive non-native grasses, such as perennial ryegrass, cheatgrass, fescue, giant reed, medusa-head, or Pampas grass. No endophyte-infected grasses shall be included in the mix. Mixes of one-hundred percent native grasses and forbs may also be used, and are encouraged.

BIO-25: The USFWS-approved biologist shall notify the USFWS immediately if giant garter snakes are found on site, and will submit a report including date(s), location(s), habitat

description, and any corrective measures taken to protect the snake(s) found. The USFWS-approved biologist shall submit locality information to the California Department of Fish & Wildlife, using completed California Native Species Field Survey Forms or their equivalent, no more than 90 calendar days after completing the last field visit of the project site.

BIO-26: A post-construction compliance report prepared by the USFWS approved monitoring biologist shall be forwarded to the Chief, Endangered Species Division, at the Sacramento Fish and Wildlife Office within 60 calendar days of the completion of the project. This report shall detail (I) dates that construction occurred; (ii) pertinent information concerning the applicant's success in meeting project mitigation measures; (iii) an explanation of failure to meet such measures, if any; (iv) known project effects on federally listed species, if any; (v) occurrences of incidental take of federally listed species, if any; and (vi) other pertinent information.

BIO-27: The Sacramento Fish and Wildlife Office is to be notified within three working days of the finding of any dead listed species or any unanticipated harm to giant garter snake. The USFWS contact person for this is the Chief, Endangered Species Division at (916) 979-2725.

BIO-28: All construction shall be conducted during daylight hours.

BIO-29: A Water Pollution Control Program (WPCP) shall be prepared by the contractor in accordance with typical provisions associated with a Regional General Permit for Construction Activities (on file with the Central Valley Regional Water Quality Control Board). The WPCP shall contain a Spill Response Plan with instructions and procedures for reporting spills, the use and location of spill containment equipment, and the use and location of spill collection materials.

BIO-30: Prior to the start of construction, the County will obtain permit approvals from all applicable agencies for impacts to Waters of the United States and Waters of the State of California. For this project a Clean Water Act Section 404 Nationwide Permit 14 from Army Corps of Engineers, a Clean Water Act Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife will be required.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Responses:

a) **No Impact:** An archaeological field survey was conducted by Mr. Namat Hosseinion (Archaeologist) on June 13, 2013 for the purpose of identifying and recording archaeological resources. The field survey did not result in the identification of any historical resources.

The proposed project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, or an archaeological resource pursuant to §15064.5. It appears there are no historical resources located within the Project Area Limits (PAL), therefore no impact to cultural resources are anticipated.

b) **Less than Significant Impact with Mitigation Incorporated:** A records search was performed by the Northeast Information Center (NIC) June 18, 2013 to determine the presence or absence of archaeological resources within the project area that would be eligible for inclusion on the National Register of Historic Places or the California Register of Historical Resources. This search found that no cultural resources have been previously recorded within the PAL or within a half mile of the PAL. In addition the field survey conducted on June 13, 2013 did not identify any archaeological resources within the PAL. Based on research and the field survey results no archaeological resources are expected to be encountered during project construction. Measure CUL-1 would minimize the potential for impacts to archaeological resources should they be encountered during construction activities. CUL-2 would minimize the potential for impacts as a result of discovery of human remains during construction.

c) **No Impact:** The project footprint has been previously disturbed by the exiting culvert structure and road; therefore no Paleontological resources are anticipated to be impacted.

d) **No Impact:** Disturbance to human remains, including those interred outside of formal cemeteries, is not anticipated. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further site disturbance can occur until the County Coroner has made the necessary findings as to the origin of the remains and their disposition pursuant to

Public Resources Code Section 5097.98. If the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

(County of Sutter, 2030 General Plan. 2008)

Measures:

CUL-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

CUL-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. Further provisions of PRC 5097.98 are to be followed as applicable.

VI. GEOLOGY AND SOILS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone 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.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, c-e) **No Impact.** The project is the replacement of a bridge over Coon Creek. The project is roughly 11.7 miles from the nearest earthquake fault. This fault is pre-quaternary and is not active, although there is the potential for activity. No earthquakes have been recorded within Sutter County (Sutter County General Plan 2008). The project will not expose people or structures to potential substantial adverse effects due to rupture or a known earthquake fault, seismic ground shaking, seismic-related ground failure including liquefaction.

The project will not result in on- or off-site landslide; lateral spreading, subsidence, liquefaction or collapse. The project is within a landslide-free zone due to its flat topography.

The project site is not located on expansive soils (NRCS 2013), and therefore does not create substantial risks to life or property.

The project will not utilize septic tanks or an alternative waste water disposal system on the site. Therefore, the proposed project will not result in an impact due to soils incapable of adequately supporting septic systems.

b) **Less Than Significant.** The project is the replacement of Brewer Road Bridge over Coon Creek. Rehabilitation of the Brewer Road Bridge will be accomplished through removal and replacement of the three metal pipe culverts. Phased construction and implementation of earthen diversion of the creek will be used to separate construction activities with the live creek channel. Rock slope protection is proposed to be added on both sides of the rehabilitated bridge crossing to minimize the potential for scour and future failure of the replacement culverts. Considering the scale of the project, standard construction related erosion control practices, and the use of erosion control hydroseed outlined in measure **BIO-24**, the project will have a less than significant impact on soil erosion.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Responses:

a, b) **Less Than Significant Impact:** In addition to adherence to local, regional, and state standards for pollutants shown in Table 1 of Section III Air Quality, all projects under CEQA are required to identify any potential impacts the project may have on Climate Change and emission of Greenhouse Gasses (GHG). Senate Bill No. 97, Chapter 185, amended CEQA guidelines to be able to address GHG and Climate Change. The California Global Warming Solutions Act of 2006 (AB 32) designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of GHG that cause global warming in order to reduce emission of GHG. Common GHG includes vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols.

As discussed in Section III. Air Quality, the project will not have any significant permanent or temporary impacts to air quality with inclusion of BMPs. For the same reasons, the project will not have any significant impacts on Climate Change or GHG emissions. GHG emissions by the proposed project are not considered significant. Sutter County has developed a Climate Action Plan (2010) to achieve emission reduction goals outlined by Global Warming Solutions Act of 2006 (AB 26). Because the project is a bridge replacement project, it is not anticipated to conflict with the County's Climate Action Plan.

(County of Sutter, 2030 General Plan. 2008; Sutter County Climate Action Plan, 2011)

VIII.HAZARDS/HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☒	☐	☐
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Responses:

a) **Less Than Significant Impact with Mitigation Incorporated:** Routine hazardous waste materials such as gasoline will be used and transported in the project area during construction activities; no fueling activities will take place within the riparian zone or the active waterway. The proposed project will have a less than significant impact on solid waste. Solid waste from the project will be disposed of through the local waste disposal Company in a sanitary landfill in

Sutter County which has sufficient capacity to serve this small project. A field inspection of the project area was conducted to investigate for the presence of hazardous substances; however, no hazards or hazardous materials were identified. As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction. Measure HAZ-1 will ensure that impacts caused by discovery of unknown hazards during construction will remain less than significant.

b- g) **No Impact:** The proposed project will not 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 as it is a maintenance project which will include dredging of built up sediment. The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school as the project is a maintenance project which will include dredging of built up sediment.

The project is not located on a site included in the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, which is also known as the Cortese List. A review of the Department of Toxic Substances Control EnviroStor Database indicated that there were no sites within ½-mile of the project study area listed on EnviroStor Database (EnviroStor 2013).

The closest public airport is the Lincoln Regional Airport located approximately 5.5 miles southeast of the project area. The closest private airstrip is the Van Dyke Airstrip located approximately 5 miles southwest of the project site. The project is not within the Airport land use plan area or airport influence area for either airport.

During construction, there will be no temporary substantial effects to public services such as fire, police, or emergency medical response. The project proposes to replace a bridge that is currently collapsed and impassible.

h) **No Impact:** This project will not expose people or structures to a significant risk of loss, injury or death involving wild fires. The General Plan indicates the “river bottoms”, or those areas along the Sacramento, Feather, and Bear Rivers within the levee system, are susceptible to wild fires since much of the area inside the levees are left in a natural state, thereby allowing combustible fuels to accumulate over long periods of time. Since the subject property is used for agricultural purposes and is not located in the Sutter Buttes or “river bottom” areas, there will be no significant risk of loss, injury or death involving wildland fires as a result of the proposed project. No impact is anticipated.

(County of Sutter, 2030 General Plan. 2008 Sutter County Community Services Department)

Measures:

HAZ-1: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction (such as previously undetected petroleum hydrocarbon contamination from nearby sources or potential explosive threat if a gas pipeline is ruptured during construction). For any previously unknown hazardous waste/material encountered during construction, work will stop and the Resident Engineer will coordinate with the Sutter County Environmental Health Department to identify appropriate and safe remediation and disposal of the discovered hazard.

IX. HYDROLOGY AND WATER QUALITY Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete ground water supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Responses:

a) **Less than Significant Impact with Mitigation Incorporated:** Regulations governing the protection of water quality include the Clean Water Act (Federal), the Porter-Cologne Water Quality Control Act (State), and project specific requirements (such as the NPDES) governed by the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCB). The project will maintain or improve the hydraulic capacity of the culverts. BMPs will be incorporated throughout construction activities as outlined in the water permits such as the Section 401 and 404 permits will be obtained by the applicable regulatory agencies (see Measure **BIO-30** under Section IV Biological Resources). By including these measures, the project will not violate any water quality standards or waste discharge requirements.

b) **No Impact:** The project does not propose activities requiring permanent increases in groundwater use. No new buildings that will increase water usage are proposed.

c) **Less Than Significant Impact with Mitigation Incorporated:** The project proposes phased construction, and implementation of earthen diversion of the creek will be used to separate construction activities from the live creek channel. Furthermore, the project will be required to obtain permits for activities taking place within Waters of the U.S. and State including compliance with Sections 401 and 404 of the Clean Water Act (see measure **BIO-30** under Section IV Biological Resources). These permits will impose conditions to ensure construction activities do not substantially impact water quality. Considering that these diversions will be temporary, combined with the permit conditions, the risk of substantial erosion or siltation on- or off-site is considered less that significant.

d-g) **No Impact:** The project proposes to replace an existing bridge with a bridge of similar design and dimensions and no increases in impervious surfaces are anticipated. As a result, no increases in surface runoff will occur and the project will not cause runoff to exceed existing drainage systems. Therefore, the project will not degrade water quality. Also, the project does not include placing housing within a 100-year flood hazard.

h) **Less Than Significant:** The project site is within the 100-year flood hazard zone. The project proposes to rehabilitate the existing Brewer Road Bridge over Coon Creek, which is failing. The new bridge will allow for equal or greater hydraulic capacity, and will be better aligned with the channel. The new bridge will therefore not impede or redirect flow more than the current levels.

i-j) **No Impact:** The project will have no impact on or be affected by inundation from seiche, tsunami, or mudflow because the land is relatively flat and not located adjacent to or near any water bodies of sufficient size to create such situations.

(County of Sutter, 2030 General Plan. 2008)
(Federal Emergency Management Administration, Flood Insurance Rate Map, 1988)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Responses:

a) **No Impact:** The project will not physically divide an established community because the project site is not located within, or proximate to, the cities of Live Oak, Yuba City or the County's recognized rural communities. No impact is anticipated.

b) **Less than Significant Impact:** The project will not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. This project proposes to replace a failing crossing of Coon Creek and reopen Brewer Road. The General Plan designation for the property is AG-80 (General Agricultural 80-acre minimums). The proposed bridge replacement is consistent with this land use designation and a less than significant impact is anticipated.

c) **Less than Significant Impact:** The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The property is located within the boundary area of the proposed Yuba Sutter Regional Conservation Plan (YSRCP). This project does not propose any uses or structures that are inconsistent with the YSRCP. Additionally, no plan has been completed or adopted at this time; therefore a less than significant impact is anticipated.

(County of Sutter, General Plan 2015, Zoning Code 1998, as updated)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or 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. The General Plan and State of California Division of Mines and Geology Special Publication 132 do not list the site as having any substantial mineral deposits of a significant or substantial nature, nor is the site located in the vicinity of any existing surface mines. No impact will result.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Responses:

a, b) **Less Than Significant Impact with Mitigation Incorporated.** The project is consistent with the Sutter County General Plan, Noise Element (Sutter County 2008). The closest sensitive noise receptor is over 700 feet from the proposed construction area. The Sutter County General Plan Policy N1.6 states that construction noise within 1,000 feet of noise-sensitive uses (i.e., residential uses, daycares, schools, convalescent homes, and medical care facilities) is limited to daytime hours between 7:00 am and 6:00 pm on weekdays, 8:00 am and 5:00 pm on Saturdays, and is prohibited on Sundays and holidays unless permission for the latter has been applied for and granted by the County. No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with applicable local noise standards discussed above. The project noise impacts are limited to temporary, intermittent construction noise in the immediate project area. The project will not result in any noise generation other than construction noise. Measure **NOI-1** would ensure construction activities are limited to the hours allowed by the County General Plan.

c, d) **No Impact:** No permanent increase in ambient noise will take place due to the project. The only noise impacts will take place during the construction period and they will be limited to daytime hours as stated above.

e, f) **No Impact:** Brewer Road Bridge is located 5.5 miles from the Lincoln Regional Airport and 5 miles from the private airstrip, Van Dyke Strip; however, the minimal construction activities are not expected to cause excessive noise. Therefore, no impacts will occur as a result of the project.

Measures:

NOI-1: All noise-generating construction activities shall be limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Noise-generating construction activities are prohibited on Sundays and holidays. If special circumstances are identified which require construction outside of these times, the Resident Engineer will coordinate with Sutter County to obtain approval beforehand.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII.POPULATION AND HOUSING Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The project is a bridge replacement project. No impacts will occur to population growth directly or indirectly as a result of the proposed project. The project will not displace people, housing nor necessitate the construction of replacement housing elsewhere.

(County of Sutter, 2030 General Plan. 2008)

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

Responses:

a i-ii) **Less Than Significant Impact:** The proposed project is a bridge replacement for Brewer Road Bridge over Coon Creek. The bridge is currently closed due to the complete collapse of one culvert and the partial collapse of a second. The crossing will remain closed until the completion of a new bridge; this will require traffic to detour to a nearby crossing. The project will have a less than significant impact to fire protection and police protection. Completion of the project will allow for increased response times of public services.

iii) **No Impact:** The closest school is Brown Elementary School, located 4 miles from the project area. No impacts to schools are expected as a result of this project.

iv-v) **No Impact:** The project site is not near any schools, parks or other public facilities. The project will not result in the need for new or physically altered parks, or other public facilities.

(County of Sutter, 2030 General Plan. 2008)
(Zoning Code 1998, as updated)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XV. RECREATION				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The project will replace the failing Brewer Road Bridge over Coon Creek. There are no nearby parks or recreation facilities and the proposed project isn't expected to have any effect on the use of neighboring parks and recreational facilities. The project will not result in the need for expansion of nor construction of new recreational facilities.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Responses:

a-f) **No Impact:** This project does not conflict with any existing plan, policy, or ordinance as they relate to the performance of the circulation system. The project would replace the existing culverts at the Brewer Road crossing over Coon Creek and will allow Brewer Road to be reopened to through traffic. There is no potential for the project to conflict with any existing congestion management program or degrade existing congestion. The project will not have any effect on the air traffic patterns or traffic levels. The project will not increase hazards due to a design feature or incompatible use as it is the maintenance of a failed bridge. The project will not result in inadequate emergency access, nor will it conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

(Institute of Traffic Engineers, Trip Generation Manual, 7th Edition)
(County of Sutter, 2030 General Plan. 2008)

XVII UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or, are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Responses:

a, b, c, d, e) **No Impact:** The project proposes replacing the existing bridge over Coon Creek, with a new bridge of similar size and design. The new bridge will not increase the impervious surfaces in the area, and will not increase the surface runoff of the area. The project will not result in exceeding wastewater treatment requirements for the applicable Regional Water Quality Control Board. The project will not result in the need for new wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities.

f, g) **Less than significant impact**. The proposed project will have a less than significant impact on solid waste. Solid waste from the project will be disposed of through the local waste disposal company in a sanitary landfill in Sutter County which has sufficient capacity to serve the project. Disposal of solid waste into that facility will comply with all federal, state and local statutes and regulations related to solid waste, and a less than significant impact is anticipated.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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?	☐	☒	☐	☐
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Responses:

a) **Less than significant with mitigation incorporated:** As discussed in Section IV Biological Resources no significant impacts are anticipated with the inclusion of appropriate avoidance, minimization and/or mitigation measures. Inclusion of these measures will ensure that the project will not have the potential to 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 rare or endangered plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal.

b) **Less than significant impact**. No environmental effects were identified in the initial study which indicates the project will have impacts that achieve short term goals to the disadvantage of long term environmental goals.

c) **Less than significant impact.** No environmental effects were identified in the initial study which indicates the project will have impacts that are individually limited, but cumulatively considerable.

d) **Less than significant impact**. No environmental effects which will cause substantial adverse effects on human beings either directly or indirectly were identified in the initial study.

XIX MITIGATION MONITORING PROGRAM – Brewer Road over Coon Creek Project

Mitigation Measure	Timing	Monitoring Agency
AQ-1: When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	During Construction	Sutter County
AQ-2: Limit area subject to excavation, grading, and other construction activity at any one time.	During Construction	Sutter County
AQ-3: Reduce idling time for vehicles.	During Construction	Sutter County
BIO-1: To ensure compliance with MBTA and CDFW code, vegetation removal and work should be avoided outside the nesting season (defined as February 15 – August 15). If this is not possible and vegetation removal or work is to occur during the nesting season, a pre-construction survey shall be conducted. The pre-construction survey shall be performed by a qualified biologist, to determine the presence of nesting birds and ensure active nests are not directly or indirectly impacted during construction. The pre-construction survey area will include the limits of the project impact area plus a 300-ft buffer. If work is planned to begin in an area during the nesting season (February 15 – August 15), all vegetation removal shall be completed within two weeks of the nesting survey if the survey determines no active nests are present.	Prior to and During Construction	Sutter County
BIO-2: If construction on the existing bridge is planned to occur during the swallow nesting season, measures shall be taken to avoid impacts to migratory swallows. To protect migratory swallows, unoccupied nests will be removed from the existing bridge structure prior to the nesting season (March 1 – August 15). During the nesting season, the bridge structure shall be maintained through the active removal of partially constructed nests. Swallows can complete nest construction in approximately 3 days. After a nest is completed, it can no longer be removed until an approved biologist has determined that all birds have fledged and the nest is no longer being used.	Prior to and During Construction	Sutter County
BIO-3: Prior to initiating construction, Environmentally Sensitive Area (ESA) fence will be installed along the construction limits to prevent encroachment into the riparian areas adjacent to the construction site.	Prior to Construction	Sutter County
BIO-4: Project-related vehicles and construction equipment shall be restricted to designated work areas.	During Construction	Sutter County
BIO-5: The contractor shall dispose of all food-related trash in closed containers, and shall remove it from the project area each day during the construction period. Construction personnel shall not feed or otherwise attract wildlife to the project area.	During Construction	Sutter County
BIO-6: If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.	During Construction	Sutter County
BIO-7: All construction work that will take place in the live channel must occur between June 1 and August 30 to minimize project effects during the adult steelhead migration season (September-March).	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
BIO-8: In-channel work will not be conducted at night to afford fish quiet, unobstructed passage during night time migratory hours.	During Construction	Sutter County
BIO-9: Prior to dewatering, a qualified biologist will prepare and implement a fish salvage plan to recover any individuals entrapped behind construction barriers. The fish salvage plan will receive approval from NMFS prior to initiating any in-channel work. At a minimum the plan will incorporate the following: • Provide for the collection, transfer and release of all entrapped sensitive fish by a qualified biologist to a designated location downstream of project activities, • Recordation of the electrical conductivity, temperature (water and air), and pH within both the enclosure and within the free flowing river, and • Ensure all rescued sensitive fish be kept in aerated water and at appropriate temperatures at all times prior to release.	During Construction	Sutter County
BIO-10: Following the placement of the phase 1 and phase 2 water diversions but prior to dewatering, two fish rescues as described in the prepared fish salvage plan must be conducted. Additional fish rescues will be required for any new locations or actions not specified above requiring diversions or dewatering to prevent entrapment of sensitive fish.	During Construction	Sutter County
BIO-11: To minimize the potential for accidental spills of materials hazardous to the aquatic environment, a Spill Prevention Control and Countermeasure Plan (SPCCP) will be prepared.	Prior to Construction	Sutter County
BIO-12: Contract specifications will include the following BMPs, where applicable, to reduce erosion during construction. • Scheduling. A specific work schedule will be implemented to coordinate the timing of land disturbing activities and the installation of erosion and sedimentation control practices to reduce on-site erosion and off-site sedimentation. • Preservation of Existing Vegetation. Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, landscape beautification, dust control, pollution control, noise reduction, and shade. • Mulching. Loose bulk materials will be applied to the soil surface as a temporary cover to reduce erosion by protecting bare soil from rainfall impact, increasing infiltration, and reducing runoff. • Soil Stabilizers. Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities. • Slope Roughening/Terracing/Rounding. Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, aiding in the establishment of vegetative cover from seed.		
BIO-13: Project activities that may affect the flow of the river through placement of fill, bridge construction, or dewatering of the channel must comply with the 2001 NMFS Guidelines for Salmonid Passage at Stream Crossings, where applicable. The guidelines include but are not limited to: • a minimum water depth (12 inch for adults and 6 inch for juveniles) at the low fish passage, • a maximum hydraulic drop of 1 foot for adults and 6 inches for juveniles, • avoidance of abrupt changes in water surface and velocities, and • structures shall be aligned with the stream, with no abrupt changes inflow direction upstream or downstream of the crossing.	During Construction	Sutter County
BIO-14: All water pumping or withdrawal from the river must comply with 1997 NMFS Fish Screening Criteria for Anadromous Salmonids, where applicable, to avoid entrainment of fish. The criteria include but are not limited to the following: • screen design must provide for uniform flow distribution over the surface of the screen, • screen material openings must not exceed 3/32 inches for fry sized salmonids and shall not exceed 1/4 inch for fingerling sized salmonids, • where physically practical, the screen must be constructed at the diversion entrance. The screen face should be generally parallel to river flow and aligned with the adjacent bankline, • the design approach velocity must not exceed 0.33 feet per second for fry sized salmonids or 0.8 feet per second for fingerling sized salmonids, and • the screen design must provide for uniform flow distribution over the surface of the screen.	During Construction	Sutter County
BIO-15: Pursuant to Executive Order 13112 and the control of invasive species: • Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spreading of noxious weeds. • All landscaping and revegetation must consist of a biologist approved plant or seed mix comprised of native, locally adapted materials.	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
BIO-16: The County will prepare a riparian restoration plan to be reviewed and approved by USACE, the Central Valley Flood Protection Board (CVFPB), NMFS, and any other applicable agencies prior to construction. This plan will include restoration of areas impacted by the proposed Project, and will aim to establish a healthy riparian corridor around the river.	During Construction	Sutter County
BIO-17: Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat, except as described in the project description.	During Construction	Sutter County
BIO-18: Construction activity within giant garter snake habitat shall be conducted between May 1 and October 1.	During Construction	Sutter County
BIO-19: Construction personnel shall participate in a USFWS-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the FESA. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.	During Construction	Sutter County
BIO-20: Within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the USFWS's Sacramento Fish and Wildlife Office. The biologist will provide the USFWS with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. Information that should be included in a field report form is provided in the USFWS Programmatic Biological Opinion. The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the FESA. The biologist shall be required to report any incidental take to the USFWS immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
BIO-21: Movement of heavy equipment to and from the project site shall be restricted to established roadways to minimize habitat disturbance.	During Construction	Sutter County
BIO-22: Preserved giant garter snake habitat shall be designated as Environmentally Sensitive Areas and shall be flagged by a qualified biologist approved by the USFWS and avoided by all construction personnel.	During Construction	Sutter County
BIO-23: After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas shall be restored to pre-project conditions. Restoration work may include replanting vegetation and shall be consistent with the guidelines provided in BIO-24 below.	Post Construction	Sutter County
BIO-24: Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below. a) Restoring of giant garter snake habitat includes minimizing impacts of project activities to the existing habitat, including using silt fencing, designating environmentally sensitive areas, using protective mats, preventing runoff, and providing worker awareness training. b) Remove all construction debris and stockpiled materials. c) Regrade area to preexisting contour, or a contour that would improve restoration potential of the site. d) Replant and hydroseed the restoration area. Recommended plantings consist of a) wetland emergents, b) low-growing cover on or adjacent to banks, and c) upland plantings/hydroseeding mix to encourage use by other wildlife. Riparian plantings are not appropriate because shading may result in lack of basking sites. Native plantings are encouraged except where nonnatives will provide additional values to wildlife habitat and will not become invasive in native communities. The applicant shall obtain cuttings, plantings, plugs, or seeds, from local sources wherever possible. The applicant shall attempt to restore conditions similar to that of adjacent or nearby habitats. i) Emergent wetland plants recommended for giant garter snake habitat are California bulrush, cattail, and water primrose. Additional wetland plantings may include common tule, Baltic rush, or duckweed. ii) Cover species on or adjacent to the bank may include California blackberry, or wild grape, along with the hydroseeding mix recommended below. iii) Upland plantings/hydroseeding mix: disturbed soil surfaces such as levee slopes shall be hydroseeded to prevent erosion. The Service recommends a mix of at least 20-40 percent native grass seeds [such as annual fescue, California	Post Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
brome, blue wildrye, and needle grass, 2-10 percent native forb seeds, five percent rose clover, and five percent alfalfa. Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses (such as wild oats, wheat, and barley). The hydroseed mix shall not include aggressive non-native grasses, such as perennial ryegrass, cheatgrass, fescue, giant reed, medusa-head, or Pampas grass. No endophyte-infected grasses shall be included in the mix. Mixes of one-hundred percent native grasses and forbs may also be used, and are encouraged.		
BIO-25: The USFWS-approved biologist shall notify the USFWS immediately if giant garter snakes are found on site, and will submit a report including date(s), location(s), habitat description, and any corrective measures taken to protect the snake(s) found. The USFWS-approved biologist shall submit locality information to the California Department of Fish & Wildlife, using completed California Native Species Field Survey Forms or their equivalent, no more than 90 calendar days after completing the last field visit of the project site.	During Construction	Sutter County
BIO-26: A post-construction compliance report prepared by the USFWS approved monitoring biologist shall be forwarded to the Chief, Endangered Species Division, at the Sacramento Fish and Wildlife Office within 60 calendar days of the completion of the project. This report shall detail (I) dates that construction occurred; (ii) pertinent information concerning the applicant's success in meeting project mitigation measures; (iii) an explanation of failure to meet such measures, if any; (iv) known project effects on federally listed species, if any; (v) occurrences of incidental take of federally listed species, if any; and (vi) other pertinent information.	Post Construction	Sutter County
BIO-27: The Sacramento Fish and Wildlife Office is to be notified within three working days of the finding of any dead listed species or any unanticipated harm to giant garter snake. The USFWS contact person for this is the Chief, Endangered Species Division at (916) 979-2725.	During Construction	Sutter County
BIO-28: All construction shall be conducted during daylight hours.	During Construction	Sutter County
BIO-29: A Water Pollution Control Program (WPCP) shall be prepared by the contractor in accordance with typical provisions associated with a Regional General Permit for Construction Activities (on file with the Central Valley Regional Water Quality Control Board). The WPCP shall contain a Spill Response Plan with instructions and procedures for reporting spills, the use and location of spill containment equipment, and the use and location of spill collection materials.	Prior to and During Construction	Sutter County
BIO-30: Prior to the start of construction, the County will obtain permit approvals from all applicable agencies for impacts to Waters of the United States and Waters of the State of California. For this project a	Prior to Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
Clean Water Act Section 404 Nationwide Permit 14 from Army Corps of Engineers, a Clean Water Act Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife will be required.		
CUL-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.	During Construction	Sutter County
CUL-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. Further provisions of PRC 5097.98 are to be followed as applicable.	During Construction	Sutter County
HAZ-1: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction (such as previously undetected petroleum hydrocarbon contamination from nearby sources or potential explosive threat if a gas pipeline is ruptured during construction). For any previously unknown hazardous waste/material encountered during construction, work will stop and the Resident Engineer will coordinate with the Sutter County Environmental Health Department to identify appropriate and safe remediation and disposal of the discovered hazard.	During Construction	Sutter County
NOI-1: All noise-generating construction activities shall be limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Noise-generating construction activities are prohibited on Sundays and holidays. If special circumstances are identified which require construction outside of these times, the Resident Engineer will coordinate with Sutter County to obtain approval beforehand.	During Construction	Sutter County

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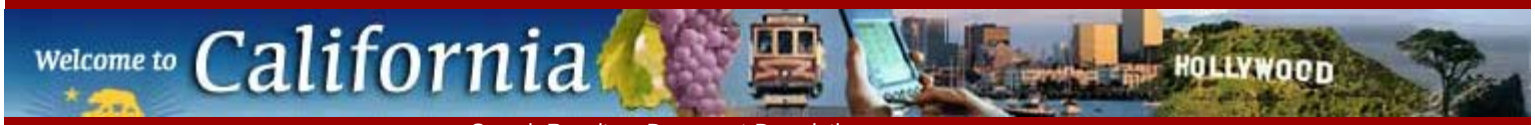

Brewer Road Bridge Replacement Project

SCH Number: 2014012010

Document Type: MND - Mitigated Negative Declaration

Project Lead Agency: Sutter County

Project Description

The Sutter County Development Services Department proposes to rehabilitate the existing Brewer Road Bridge over Coon Creek located in Sutter County. The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road, approximately five miles east of SR-99. The existing crossing is comprised of three 10 foot diameter corrugated metal pipes covered with engineered fill and asphalt paving. The bridge has been closed since December of 2012 due to failure of two of these pipes rendering the crossing unsafe. The project would replace the pipes and rebuild the crossing using the same roadway alignment.

Contact Information

Primary Contact:
Neal Hay
Sutter County
530 822 4402
1130 Civic Center Boulevard
Yuba City, CA 95993

Project Location

County: Sutter
City: Yuba City
Region:
Cross Streets: Brewer Road/Hicks Avenue
Latitude/Longitude: 38° 56' 2" / 121° 27' 6" Map
Parcel No: Numerous
Township: 13N
Range: 5E
Section: 32
Base:
Other Location Info: Olivehurst

Proximity To

Highways:
Airports:
Railways:
Waterways: Coon Creek
Schools:
Land Use: Road Right-of-Way, Open Space, Agricultural

Development Type

Transportation: Other (Bridge Replacement)

Local Action

Other Action (Transportation)

Project Issues

Aesthetic/Visual, Agricultural Land, Air Quality, Archaeologic-Historic, Biological Resources, Drainage/Absorption, Flood Plain/Flooding, Geologic/Seismic, Minerals, Noise, Population/Housing Balance, Public Services, Soil Erosion/Compaction/Grading, Solid Waste, Toxic/Hazardous, Traffic/Circulation, Vegetation, Water Quality, Water Supply, Wetland/Riparian, Landuse, Cumulative Effects

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Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)

Resources Agency; **Department of Fish and Wildlife, Region 2**; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 3; Air Resources Board; Air Resources Board, Transportation Projects; **Regional Water Quality Control Bd., Region 5 (Sacramento)**; Native American Heritage Commission; State Lands Commission; **Central Valley Flood Protection Board**

Date Received: 1/3/2014 **Start of Review:** 1/6/2014 **End of Review:** 2/4/2014

CEQAnet HOME | NEW SEARCH

Sutter County
Initial Study

1. Project title:	Brewer Road Bridge Replacement Project
2. Lead agency name and address:	Sutter County, ~~Public Works, Public Works~~ Development Services Department 1130 Civic Center Boulevard, Yuba City CA 95993
3. Contact person and phone number:	Neal Hay, Senior Civil Engineer, PE, Sutter County Development Services/Engineering 530-822-7400
4. Project sponsor's name and address:	Sutter County 1130 Civic Center Boulevard, Yuba City, CA 95993
5. Project Location:	The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road and is approximately five miles east of State Route 99.
6. General Plan Designation:	Transportation, Agriculture
7. Zoning Classification:	Parcels in the vicinity are Zoned General Agricultural (AG).

8. Description of project:

Sutter County is proposing to rehabilitate the existing Brewer Road Bridge over Coon Creek located in south Sutter County. The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road and is approximately five miles east of State Route 99. The existing crossing is comprised of three 10–foot-wide corrugated metal pipes covered with engineered fill and asphalt paving for the roadway. In December of 2012, the Sutter County Public Works Department was notified this bridge was failing due to the complete collapse of one of the metal pipes and partial collapse of a second. Sutter County closed public access to this crossing in December 2012 and began preliminary engineering and environmental documentation for a rehabilitation of this crossing.

Rehabilitation of the Brewer Road Bridge will be accomplished through removal and replacement of the three metal pipe culverts. The County expects to use either replacement metal pipes of a similar size covered in engineered fill or a reinforced concrete pipe covered in fill. The replacement culverts will provide equal or greater hydraulic capacity to the channel, but will be realigned to better accommodate the flow of the creek. The bridge width will remain the same width at 24 feet, and approximately a length of 151 feet of pavement will be replaced during construction. Rock slope protection or a headwall is proposed to be installed~~restored~~ on both sides of the rehabilitated bridge crossing to minimize the potential for scour and future failure of the replacement culverts.

Phased construction and implementation of a diversion of the creek will be used to separate construction activities with the live creek channel. The first phased diversion will be placed on the north side of the creek forcing the water through the existing southern-most culvert pipe. The middle and northern most culvert pipes will be replaced behind the protection of the diversion. Once completed, the first diversion will be removed and the second will be installed on the southern side, forcing water through the (new) northern-most culvert pipe. The southern pipe will be replaced, covered in fill, and the second diversion will be removed. Once the fill is completely installed and rock slope protection installed to prevent scour, the crossing will be paved and will conform with the existing Brewer Road, both north and south of Coon Creek.

In order to provide construction vehicle access, perform all construction activities, and implement environmental mitigation measures, a portion of riparian vegetation will be removed directly adjacent to the existing crossing. This area will be limited to the minimum necessary for construction activities and is currently estimated at 30 linear feet both upstream and downstream of the existing bridge.

9. Surrounding land uses and setting: The project area is surrounded by Agricultural land uses (rice fields) and Coon Creek.

10. Other public agencies whose approval is required: Army Corps of Engineers, California Department of Fish and Wildlife, Regional Water Quality Control Board, US Fish and Wildlife Service, National Oceanic and Atmospheric Administration (National Marine Fisheries Division).

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agricultural/Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☐ Geology/Soils
☐ Greenhouse Gas Emissions	☒ Hazardous Materials	☒ Hydrology/Water Quality
☐ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities/Service Systems	

☒ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Applicant Mitigation Agreement:

CEQA allows a project proponent to make revisions to a project, and/or to agree and comply with, mitigation measures that reduce the project impacts such that the project will not have a significant effect on the environment. CEQA Guidelines Section 15064.

As the applicant/representative for this proposed project, I hereby agree to implement the proposed mitigation measures and mitigation monitoring program identified within this document.

Signature of preparer — Date: 1/3/14

Doug Libby, AICP
Principal Planner — Date: 1/3/14

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Responses:

a) **No Impact:** The Sutter County/Brewer Road Bridge over Coon Creek Project is not located in or within the vicinity of a scenic vista or state scenic highway. The General Plan Background Report identifies geographic features such as the Sutter Buttes, Feather River, Sacramento River, Bear River and the valley's orchards as scenic resources within the county which contribute to the county's character. The project location is located over 24 miles southeasterly of the Sutter Buttes and at least 4.5 miles from the Bear and Feather Rivers. Additionally, this area is used to grow rice with no orchards being located within 2.5 miles of the project site. Given the project's distance from the Sutter Buttes and all rivers, it is not anticipated to substantially alter area vistas and will not affect any scenic vista either of or from the property and a less than significant impact is anticipated.

b) **No Impact:** This project will replace a bridge due to a structural failure. The Brewer Road Bridge over Coon Creek is currently an unsafe crossing due to the complete collapse of one of the metal pipes and partial collapse of a second. There are no scenic resources inventoried by the County General Plan in this area and there are no scenic highways within Sutter County. . The project may require some vegetation and/or tree removal during construction to provide enough room for construction vehicle access; however, the project will not substantially impact or damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway, see Figures 1 and 2.

c) **No Impact:** In spite of the minor vegetation/tree removal, the project will not degrade the existing visual character or quality of the site and its surroundings. As stated in the response above, the project will replace an existing bridge with a bridge of similar size and design and no impacts are anticipated.

d) **No Impact**: This project does not include new lighting; therefore, it will not introduce a new source of substantial light or glare. As a result lighting will not adversely affect day or nighttime views and no impacts are anticipated.

(County of Sutter, 2030 General Plan. 2008)

Source: ESRI Maps 2013; Dokken Engineering 11/12/2013; Created By: J. Hovis

0 0.5 1 1.5 2 Miles

FIGURE 1
PROJECT VICINITY

Brewer Road Bridge Over Coon Creek Replacement Project
Sutter County, California

V:\2011 Brewer RdIF2 Location 6-10-13.mxd

Source: ESRI Maps 2013; Dokken Engineering 11/12/2013; Created By: jamesh

0 0.25 0.5 0.75 1 Miles

FIGURE 2
Project Location

Brewer Road Bridge Over Coon Creek Replacement Project
Sutter County, California

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
II. AGRICULTURAL RESOURCES In determining whether agricultural 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 Dept. 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
Would this project:				
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, 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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b, c, d, e) **No Impact:** The purpose of the Brewer Road Bridge Replacement Project is to improve the failing Brewer Road crossing over Coon Creek. This project is located adjacent to Prime Farmland (NRCS Soil Survey, 2013); however, the proposed construction area would occur exclusively on County owned right-of-way or within the Coon Creek. As a result, no

temporary or permanent impacts are expected to occur to the adjacent farmland or to farming activities, nor would be project convert any agricultural land to a non-agricultural use. Furthermore, this project would reopen an important crossing over the Coon Creek which is predominantly used by land owners in the vicinity for agricultural activities.

No negative impacts to Farmlands of any kind are expected as a result of this project. The project area does not include Unique Farmland, or Farmland of Statewide Importance, nor is any land under Williamson Act contract. The project would not conflict with existing zoning nor would it result in the loss of forest land or conversion of forest land to non-forest use as there is no forest land within the project area.

(U.S. Department of Agriculture, Soil Conservation Service Soil Survey – Sutter County, 1988. California Dept. of Conservation, Farmland Mapping and Monitoring Program, Soil Candidate Listing or Prime Farmland of Statewide Importance, 1995)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
III. AIR QUALITY Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with, or obstruct implementation of, the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing, or projected, air quality violation?	☐	☐	☒	☐
c) 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 (including releasing emissions which exceed quantitative threshold for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Responses:

a) **No Impact:** The proposed project would not conflict with the applicable air quality plan because the project proposes to replace an existing bridge with a bridge of similar size and design.

b, c) **Less than Significant Impact:** The proposed project is located within the Sacramento Valley Air Basin in the region administered by the Feather River Air Quality Management District (FRAQMD). The FRAQMD administers air quality in all of Sutter County. The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard. As shown in Table 1, according to the California Ambient Air Quality Standards (CAAQS) the project area is designated as a non-attainment area for ozone, $PM_{2.5}$ and PM_{10}.

Table 1: Attainment Status in the Project Area

Pollutant	Attainment Status	
	Federal	State
O_3 – 1-hour	Unclassified/Attainment	Nonattainment
O3 – 8-hour	Unclassified/Attainment	Nonattainment
PM10	Unclassified	Nonattainment

PM2.5	Nonattainment	Nonattainment
CO	No Federal Standard	Attainment
NO2	Unclassified/Attainment	Attainment
SO2	Unclassified/Attainment	Attainment
Sulfates	No Federal Standard	Attainment
Lead	Attainment	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Visibility Reducing Particles	No Federal Standard	Unclassified
Source: CARB 2010		

d, e) **Less than Significant Impact with Mitigation Incorporated:** During construction, short-term degradation of air quality may occur due to the release of particulate emissions (airborne dust) generated by excavation, hauling, and other activities related to construction. Emissions from construction equipment also are anticipated and would include carbon monoxide (CO), nitrogen oxides (NO_x), volatile organic compounds (VOCs), directly-emitted particulate matter (PM_{10} and $PM_{2.5}$), and toxic air contaminants such as diesel exhaust particulate matter. Ozone is a regional pollutant that is derived from NO_x and VOCs in the presence of sunlight and heat.

Heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_x, VOCs and some particulate matter in exhaust emissions. These emissions would be temporary and limited to the immediate area surrounding the construction site.

Dust generated will result in a temporary, local impact, limited to areas of construction. Dust control practices will be incorporated into the project to mitigate this potential impact.

Each of the above impacts are construction related, temporary, and with inclusion of air quality AQ-1 through AQ-3 consistent with the requirements of Sutter County General Plan and the FRAQMD, these impacts would be reduced to a less than significant level. Air Quality measures will be included as Standard Provision in the construction contract and will be monitored by the Resident Engineer.

Each of the above impacts are construction related, temporary, and with inclusion of air quality AQ-1 through AQ-3 consistent with the requirements of Sutter County General Plan and the FRAQMD, these impacts would be reduced to a less than significant level. Air Quality measures will be included as Standard Provision in the construction contract and will be monitored by the Resident Engineer.

(Feather River Air Quality Management District. 1998. *Indirect Source Review Guidelines,* Feather River Air Quality Management District. 2003. *Northern Sacramento Valley 2003 Air Quality Attainment Plan*.)

Measures:

AQ-1: When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

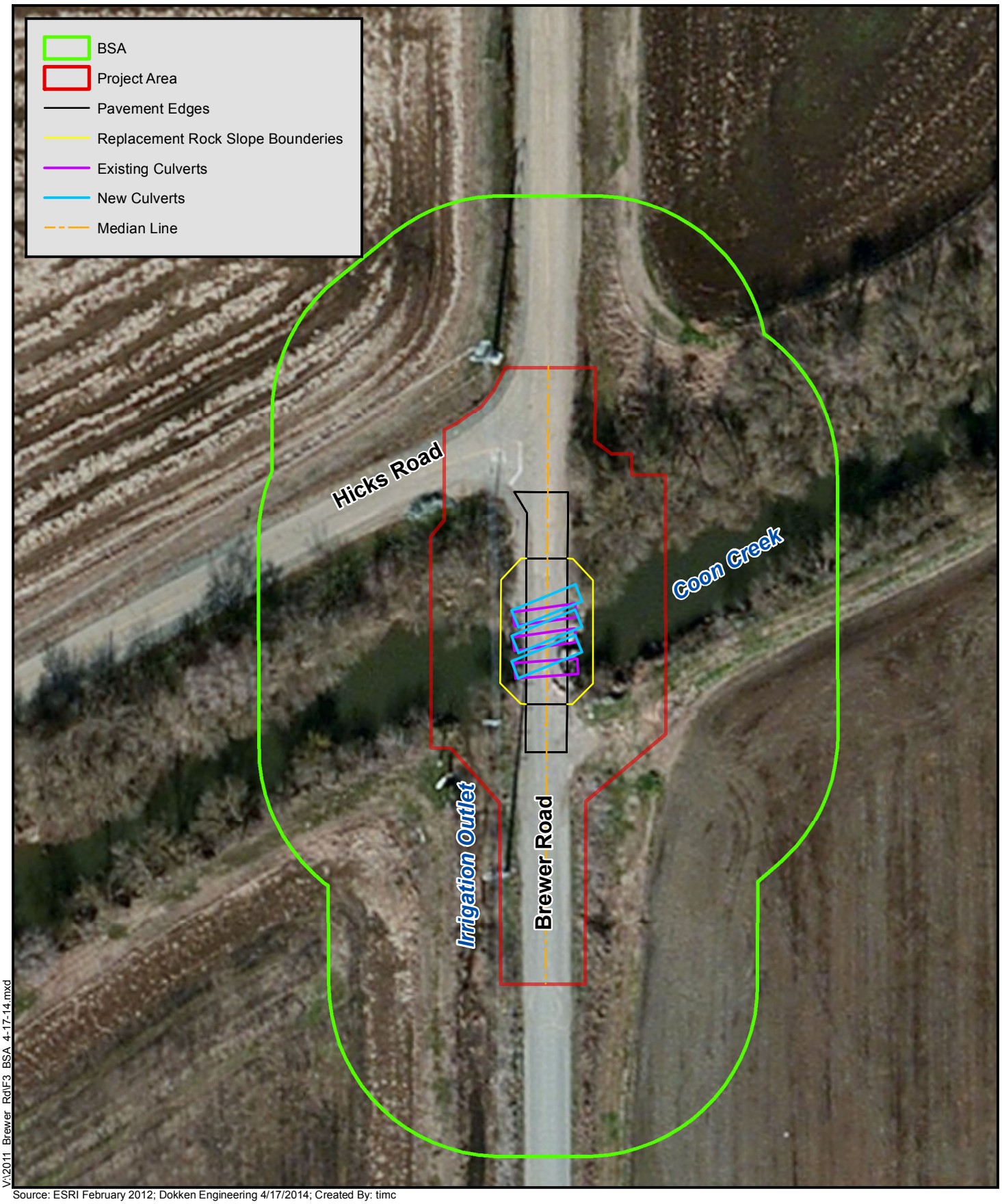
AQ-2: Limit area subject to excavation, grading, and other construction activity at any one time.

AQ-3: Reduce idling time for vehicles.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES Would the project:				
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
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 a native wildlife nursery site?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Responses:

a) **Less Than Significant Impact with Mitigation:** On June 13, 2013, Dokken biologists surveyed the BSA (Figure 3 Biological Study Area). Based on the June 13, 2013 survey results and literature research the Swainson's hawk (*Buteo swainsoni*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), Central Valley steelhead (steelhead) (*Oncorhynchus mykiss*), western pond turtle (*Emys marmorata*), and giant garter snake (*Thamnophis gigas*) were determined to have low to moderate chances of occurrence within the biological study area (BSA). None of the special status species were observed during the biological survey, however potentially suitable habitat for each species was determined to be present within the BSA. Common wildlife and plant species observed within the BSA can be found in Table 2 and Table 3.



V:\2011 Brewer RdIF3 BSA 4-17-14.mxd

Source: ESRI February 2012; Dokken Engineering 4/17/2014; Created By: timc

0 50 100 150 200 Feet

FIGURE 3
Biological Study Area
Brewer Road Bridge Replacement Project
Sutter County, California

Table 2: Wildlife Species and Sign Observed Within the BSA

Common Name	Scientific Name	Native (N)/ Non-native (X)
Avian		
Red tailed hawk	Buteo jamaicensis	N
American Cliff swallow	Petrochelidon pyrrhonota	N
Turkey vulture	Cathartes aura	N
Spotted towhee	Pipilo maculatus	N
American Bushtit	Psaltriparus minimus	N
Common yellowthroat	Geothlypis trichas	N
Yellow warbler	Setophaga petechia	N

Table 3: Plants Observed Within the BSA

Common Name	Scientific Name	Native (N)/ Non-native (X)
Box elder	*Acer negundo*	N
Poison oak	*Toxicodendron diversilobum*	N
Curly dock	*Rumex crispus*	X(invasive)
Yellow star thistle	*Centaurea solstitialis*	X(invasive)
Wild oat	*Avena fatua*	X(invasive)
Nutsedge species	*Cyperus* sp.	
Mistletoe	*Viscum album*	X
Sow thistle	*Sonchus* sp.	X
Brass button	*Cotula coronopifolia*	X
Wild radish	*Raphanus raphanistrum*	X
California Button-willow	*Cephalanthus occidentalis* var. *californicus*	N
California Mugwort	*Artemisia douglasiana*	N
Scarlet pimpernel	*Anagallis arvensis*	X
Blue oak	*Quercus douglasii*	X(invasive)
Oregon ash	*Fraxinus latifolia*	N
Black locust	*Robinia pseudoacacia*	X
Walnut sp.	*Juglans* sp.	N
Fig sp.	*Ficus* sp.	X

Swainson's Hawk

The Swainson's hawk is listed as threatened under the California Endangered Species Act (CESA) and is a migratory bird species protected under the federal Migratory Bird Treaty Act (MBTA). During the June 13, 2013 biological surveys, no sign of Swainson's hawk was observed, but the BSA contains some large diameter trees potentially suitable for nesting. However, the riparian corridor within the BSA is very disturbed and is anticipated to be less desirable for Swainson's hawk nesting compared to the more intact riparian habitats located up

and down stream of the project. Foraging habitat at the site is also very limited as the surrounding land has been almost entirely converted to rice fields.

Project activities will be limited to replacing Brewer Road Bridge along Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions to the creek. The project does anticipate removing riparian vegetation, including large diameter trees directly adjacent to the bridge. Any trees that are removed, as part of the project, will be replaced after completion of the new bridge. Considering the disturbed riparian habitat within the BSA, the protection of native vegetation, and the short duration of minimally disruptive project activities, no impacts to Swainson's hawk are anticipated. Further, incorporating **BIO-1** through **BIO-6** into the project design will minimize and avoid potential impacts to the Swainson's hawk.

Western yellow-billed cuckoo

The western yellow-billed cuckoo is listed as threatened under California Endangered Species Act (CESA), and is a candidate for listing under Federal Endangered Species Act (FESA). Yellow-billed cuckoo nest in large blocks of riparian habitats (approximately 5 acres or more) particularly riparian woodlands with cottonwoods and willows. Suitable riparian habitat consists of multi-layered riparian vegetation with riparian canopy trees and at least one layer of understory (*The Status of Rare, Threatened, and Endangered Animals and Plants in California, Western Yellow-Billed Cuckoo, CDFW, 2000*). The Brewer Road Bridge Project does contain disturbed riparian habitat; however, the project site does not contain suitable breeding habitat for Western yellow-billed cuckoo. The project will impact approximately 0.15 acre of riparian habitat but this habitat is heavily disturbed, lacking a consistent layer of understory, and is not large enough for the breeding requirements of the species. During the June 13, 2013 biological surveys, no sign of western yellow-billed cuckoo was observed. ~~However, the BSA does contain the required riparian habitat with a dense understory. The BSA also contains the preferred nesting sites of willows. The riparian corridor within the BSA is very disturbed and is anticipated to be less desirable compared to the more intact riparian habitats located up and down stream of the project.~~

Dokken Engineering has researched the CNDDB database for nearby occurrences. The nearest documentations were greater than 7 miles west of the project site along the Feather River dating back to 1977 and 1987 (see Figure 1 below). No current occurrences of the species have been documented within a 10 mile radius of the project site. Additionally, a large population of predatory species, including a variety of raptors, has been documented regularly in the area. For all of these reasons, Dokken Engineering biologists have determined that the project site is not suitable breeding habitat for Western yellow-billed cuckoo and that the project will have no effect on the species. Measure BIO-31 has been provided to ensure that construction workers are trained prior to construction to identify state listed species that could occur within the project area. Measure BIO-32 has been provided to ensure that if a state listed species is identified in the project area during construction, work will stop and CDFW will be consulted prior to resuming construction activities.~~Project activities will be limited to replacing Brewer Road Bridge along Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions to the creek. The project does anticipate removing riparian vegetation, including large diameter trees directly adjacent to the bridge. Any trees that are removed for the project will be replaced after completion of the new bridge. Considering the disturbed riparian habitat within the BSA, the protection of native vegetation, and the short duration of minimally disruptive project activities, no impacts to western yellow-billed cuckoo are anticipated. Further, incorporating **BIO-1** through~~

~~**BIO-6** into the project design will further minimize and avoid potential impacts to the western yellow-billed cuckoo.~~

Central Valley Steelhead
The steelhead is listed as threatened under the Federal Endangered Species Act (FESA) (63 Federal Register [FR] 13347, March 19, 1998). This distinct population segment consists of steelhead in the Sacramento and San Joaquin River basins in the Central Valley. The Feather River Hatchery and the Coleman National Fish Hatchery steelhead populations, although previously included in the DPS, were not part of the listed steelhead population until January 5, 2006 (74 FR 834). The final rule designating steelhead Critical Habitat was issued September 2, 2005 (70 FR 52614).

The Feather River and Coon Creek in the vicinity of the project area has been documented to contain adult and juvenile steelhead. Mature steelhead utilize the creek within the project area as a migratory corridor, migrating to spawning habitat between September and March (Department of Water Resources 2004a). Although juveniles are believed to be present and emigrating within the Lower Feather River year round, data from previous fish surveys indicate the peak in juvenile emigration occurs from February-June (California Department of Water Resources 2003). The project is located within designated steelhead Critical Habitat. As a result of this species presence and its Critical Habitat within the project area, Section 7 Consultation between the Army Corps of Engineers as the Lead NEPA Agency and the National Marine Fisheries Service (NMFS) as the consulted agency. A Biological Assessment (BA) was prepared to document the anticipated impacts to steelhead and steelhead Critical Habitat.

Potential project-related direct effects to steelhead include the temporary increase in sedimentation and turbidity, fish stranding behind temporary barriers and the risks associated with accidental spills of hazardous chemicals and materials to waters. In addition, the project will temporarily affect an approximate 0.34~~7~~ acre of steelhead Critical Habitat from temporary earthen diversion barriers; no permanent affects to steelhead Critical Habitat will occur. BMPs incorporated into the project plans, will minimize turbidity effects to Critical Habitat. Considering the duration of project activities, the size of the project, and incorporating **BIO-7,** through **BIO-16** into the project design, potential impacts to steelhead and steelhead Critical Habitat are anticipated to be minimal. Additional measures may be required by the NMFS through Section 7 Consultation, and if so added, will become part of the County's mitigation obligations to ensure that impacts to this federally listed threatened species are less than significant.

Western Pond Turtle
The western pond turtle is not a State or Federally listed species, but is a California Department of Fish and Wildlife (CDFW) Species of Special Concern. During the June 13, 2013 biological surveys, no sign of western pond turtle was observed, but could occur within the project vicinity. Coon Creek occurs within the project limits and its channel and banks have potentially suitable basking sites with limited reproductive upland habitat.

Project activities will be limited to replacement of Brewer Bridge over Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions. The project will result in temporary disturbance of 0.16~~07~~ acre of upland habitat as a result of construction activities (e.g., access, short-term storage) as well as temporary effects to 0.16~~07~~ acre of aquatic habitat in Coon Creek due to creek dewatering during removal of the existing culverts and fill. Considering the surrounding agricultural development, the disturbed riparian habitat within the BSA, and the short duration of minimally

disruptive project activities, potential impacts to the western pond turtle are anticipated to be minimal and will not impact the viability of the overall population. Further, incorporating **BIO-3** through **BIO-6** into the project design will further minimize and avoid potential impacts to the western pond turtle.

Giant Garter Snake

The giant garter snake is State and Federally listed as a Threatened species. During the June 13, 2013 biological surveys, no sign of giant garter snake was observed, but it could occur within the project vicinity. Coon Creek occurs within the project limits and its channel and banks have potentially suitable basking sites with limited reproductive upland habitat.

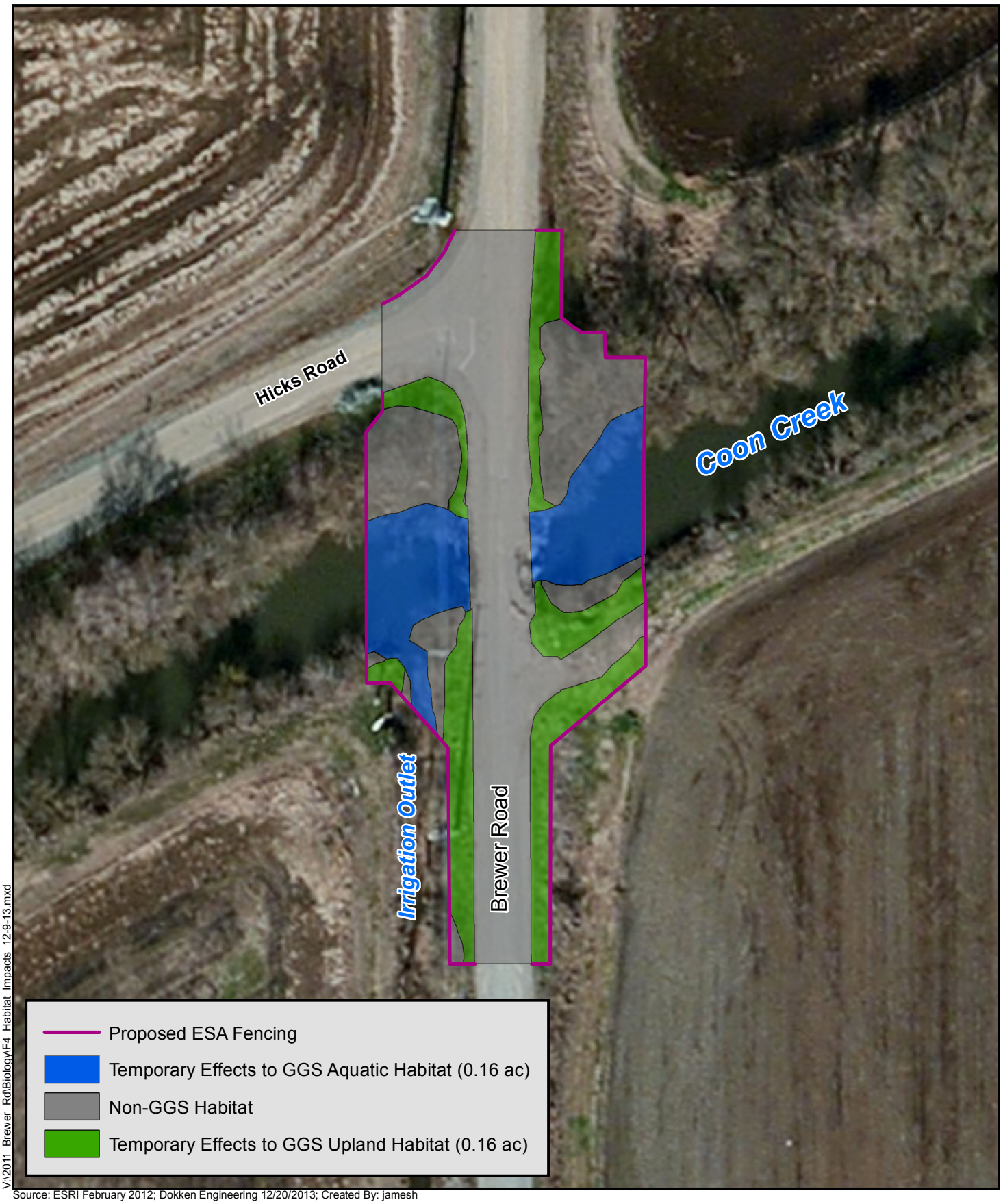
Project activities will be limited to replacement of Brewer Bridge over Coon Creek using minimally disruptive equipment. Equipment access to Coon Creek will be restricted to the proposed earthen diversions and will be restricted within the project area shown on Figure 3. The project will result in temporary disturbance of 0.1607 acre of upland habitat as a result of construction activities (e.g., access, short-term storage) as well as temporary effects to 0.1607 acre of aquatic habitat in Coon Creek due to creek dewatering during removal of the existing culverts and fill. Considering the surrounding agricultural development, the disturbed riparian habitat within the BSA, and the short duration of minimally disruptive project activities, potential impacts to the giant garter snake are anticipated to be minimal and will not impact the viability of the overall population.

Table 4: Summary of Giant Garter Snake Conservation Measures

	EFFECTS: DURATION	**EFFECTS: ACRES**	**CONSERVATION MEASURE: COMPENSATION**
LEVEL 1	1 season	Will not exceed 20 and temporary	Restoration
LEVEL 2	2 seasons	Will not exceed 20 and temporary	Restoration plus 1:1 replacement
LEVEL 3	More than 2 seasons and temporary	Will not exceed 20 and temporary	3:1 replacement (or restoration plus 2:1 replacement)
	Permanent loss	Will not exceed 3 acres total giant garter snake habitat AND Less than 1 acre aquatic habitat;	3:1 replacement

* A season is defined as the calendar year period between May 1 and October 1, the active period for giant garter snake when mortality is less likely to occur.

Giant garter snake habitat includes 2.0 acres of surrounding upland habitat for every 1.0 acre of aquatic habitat. The 2.0 acres of upland habitat also may be defined as 218 linear feet of bankside habitat which incorporates adjacent uplands to a width of 200 feet from the edge of each bank. Each acre of created aquatic habitat should be supported by two acres of surrounding upland habitat. Compensation may include creating upland refuges and hibernacula for the giant garter snake that are above the 100-year floodplain.



V:\2011 Brewer Rd\Biology\F4 Habitat Impacts 12-9-13.mxd

Source: ESRI February 2012; Dokken Engineering 12/20/2013; Created By: jamesh

0 50 100 150 200 Feet

FIGURE 4
Effects to Giant Garter Snake Habitat
Brewer Road Bridge Replacement Project
Sutter County, California

The project will result in less than 20 acres of temporary impacts to giant garter snake habitat lasting one season. The project will not result in a net permanent loss of giant garter snake habitat. Due to these factors, it was determined that the project will qualify under Level 1 or impacts. Following project completion, the impacts shall be mitigated by restoration of giant garter snake habitat affected during project construction.

Measures **BIO-17** through **BIO-29** have been incorporated into the project design to minimize and avoid potential impacts to the giant garter snake.

Migratory Birds
Native birds, protected under the MBTA and similar provisions under CFG code, currently nest or have the potential to nest within the BSA and the project impact area. During the biological surveys, evidence of potentially suitable nesting habitat was observed within the trees and shrubs within the proposed project BSA. Considering the short duration of minimally disruptive project activities, and the implementation of **BIO-1** the project will minimize potential impacts to migratory birds.

During the biological survey of the project area, numerous cliff swallows (*Petrochelidon pyrrhonota*) were observed nesting in the project area. Numerous nests were observed in the corrugated metal pipes that are part of the existing Brewer Road Bridge. Measure **BIO-2** will ensure that impacts to nesting swallows are minimized and remain less than significant.

b) **Less Than Significant With Mitigation:** The existing 24 foot Brewer Road Bridge over Coon Creek will be removed and replaceds with a similar 24 foot bridge. Valley Foothill Riparian/Valley Oak Woodland occurs along Coon Creek within the BSA. This community has a tree canopy consisting of Blue oak (Quercus douglasii), Oregon ash (Fraxinus latifolia), Box Elder (Acer negundo), Black locust (Robinia pseudoacacia), Walnut (Julans sp.), and Fig (Ficus sp.). The understory consists of shrubs and herbaceous species such as California button willow (Cephalanthus occidentalis var. californicus), Oregon ash (Fraxinus latifolia), and Poison oak (Toxicodendron diversilobum). The project will result in direct temporary effects to 0.1607 acre of Riparian habitat as a result of construction activities (e.g., access, short-term storage).

Based on the June 2013 survey results, Coon Creek, a channelized creek feature likely acts as a migration corridor for wildlife in the area. The permanent water source matched with the adjacent riparian and woodland vegetation creates conditions for wildlife to disperse throughout the region. As the project is replacing an existing facility, any impacts to wildlife migrations associated with project construction will be temporary. To reduce potential impacts to wildlife, construction will be minimized at night, the likely peak in wildlife usage for migration purposes. At project completion, usage of the channel and associated riparian habitat as a migration corridor will be restored.

There are jurisdictional waters of the U.S. and State within the BSA. The project anticipates to temporarily impact approximately 0.1607 acres of Waters of the State and Waters of the U.S. No permanent impacts to waters of the State or waters of the U.S. are anticipated (Figure 6 Project Impacts). The proposed project has been designed to minimize all temporary and permanent impacts to the maximum extent practicable. This will be accomplished through the implementation of all mitigation measures identified in this environmental document and through the use of BMPs. In particular, measure **BIO-3** will limit the extent of impacts to the riparian corridor through the use of ESA fencing establishing a limit to construction impacts, and measure **BIO-16** which ensures that the riparian corridor will be revegetated through the implementation of a revegetation plan. Measures **BIO-12** and **BIO-21** will minimize impacts to

water quality through the use of BMPs by minimizing downstream sedimentation and pollution. Furthermore, coordination with CDFW, USACE, RWQCB, and CVFPB will occur through each agency's regulatory permitting process which will further ensure that the riparian corridor and its associated resources are protected to the greatest extent possible. These permits for impacts to Waters of the US and Waters of the State are required of the project under ~~implementation of regulatory permit conditions, and~~ mitigation measure **BIO-30.**

c) **No Impact:** The project will not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. No wetlands were observed in the BSA.

d) **Less than significant:** The project will minimally interfere with the movement of migratory fish. Project activities will be limited to earthen diversions of Coon Creek, which is known to support migratory steelhead. However, only a small portion of Coon Creek will be impacted and project activities will divert the creek flow only within the existing channel, but not interrupt the flow of the creek. Construction will take place between June 1 and August 30, avoiding the steelhead spawning migration period.

e) **No Impact:** The proposed project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy, because Sutter County has not adopted such an ordinance. Therefore no impact is anticipated. This project is consistent with Sutter County General Plan for Open Space, Conservation, and Biological protection. Impacts to biological resources along Coon Creek will be avoided and minimized to the greatest extent possible (County of Sutter, 2030 General Plan. 2008).

f) **Less than Significant Impact:** The project is located within the boundary of the proposed Yuba Sutter Regional Conservation Plan (YSRCP). This proposed project is a culvert restoration and rehabilitation and does not propose any uses that will conflict with the YSRCP. Additionally, no plan has been completed or adopted at this time, therefore a less than significant impacts is anticipated. As discussed above, Sutter County will coordinate directly with USACE, NMFS, USFWS, CDFW, and other resource agencies directly to ensure that this project does not adversely affect protected biological resources which could occur within the project area.

Measures:

BIO-1: To ensure compliance with MBTA and CDFW code, vegetation removal and work should be avoided outside the nesting season (defined as February 15 – August 15). If this is not possible and vegetation removal or work is to occur during the nesting season, a pre-construction survey shall be conducted no more than 15 days prior to the onset of ground disturbance or vegetation removal. If at any time during the project implementation, should construction halt for more than 15 days, an additional survey for active raptor nests should be conducted. The pre-construction survey shall be performed by a qualified biologist, to determine the presence of nesting birds and ensure active nests are not directly or indirectly impacted during construction. The pre-construction survey area will include the limits of the project impact area plus a 300-ft buffer. If work is planned to begin in an area during the nesting season (February 15 – August 15), all vegetation removal shall be completed within two weeks of the nesting survey if the survey determines no active nests are present.

If nests are found, the CDFW recommends maintaining an exclusionary buffer, with no ingress of personnel or equipment until the chicks have fledged, to avoid impacts to active bird nests. The exclusionary buffer should be performance-based as it may need to be adjusted based on the birds' tolerance level to the disturbance. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased so that activities are far enough from the nest to stop this agitated behavior by the bird. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

BIO-2: If construction on the existing bridge is planned to occur during the swallow nesting season, measures shall be taken to avoid impacts to migratory swallows. To protect migratory swallows, unoccupied nests will be removed from the existing bridge structure prior to the nesting season (March 1 – August 15). During the nesting season, the bridge structure shall be maintained through the active removal of partially constructed nests. Swallows can complete nest construction in approximately 3 days. After a nest is completed, it can no longer be removed until an approved biologist has determined that all birds have fledged and the nest is no longer being used.

BIO-3: Prior to initiating construction, orange snow fence shall be installed along the Environmentally Sensitive Area (ESA) boundaries to prevent encroachment into the riparian areas adjacent to the construction site.

BIO-4: Project-related vehicles and construction equipment shall be restricted to designated work areas.

BIO-5: The contractor shall dispose of all food-related trash in closed containers, and shall remove it from the project area each day during the construction period. Construction personnel shall not feed or otherwise attract wildlife to the project area.

BIO-6: If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.

Sensitive Fish

BIO-7: All construction work that will take place in the live channel must occur between June 1 and August 30 to minimize project effects during the adult steelhead migration season (September-March).

BIO-8: In-channel work will not be conducted at night to afford fish quiet, unobstructed passage during night time migratory hours.

BIO-9: Prior to the start of construction activities within Coon Creek~~dewatering~~, a qualified biologist shall direct the use of weighted fish nets, or a similar barrier to ensure fish are not located within the construction zone during construction of the temporary diversion. Once the diversion has been installed, the nets or other barriers will be removed to allow fish passage through the remaining open pipe. ~~will prepare and implement a fish salvage plan to recover any individuals entrapped behind construction barriers. The fish salvage plan will receive approval from NMFS prior to initiating any in-channel work. At a minimum the plan will incorporate the following:~~

~~• Provide for the collection, transfer and release of all entrapped sensitive fish by a qualified biologist to a designated location downstream of project activities,~~

~~• Recordation of the electrical conductivity, temperature (water and air), and pH within both the enclosure and within the free flowing river, and~~

~~• Ensure all rescued sensitive fish be kept in aerated water and at appropriate temperatures at all times prior to release.~~

BIO-10: This process described in BIO-9 above will be repeated under the supervision of a qualified biologist for all parts of construction where earth movement or other construction activities could impact fish in the construction area.~~Following the placement of the phase 1 and phase 2 water diversions but prior to dewatering, two fish rescues as described in the prepared fish salvage plan must be conducted. Additional fish rescues will be required for any new locations or actions not specified above requiring diversions or dewatering to prevent entrapment of sensitive fish.~~

BIO-11: To minimize the potential for accidental spills of materials hazardous to the aquatic environment, a Spill Prevention Control and Countermeasure Plan (SPCCP) will be prepared.

BIO-12: Contract specifications will include the following BMPs, where applicable, to reduce erosion during construction.

- Scheduling. A specific work schedule will be implemented to coordinate the timing of land disturbing activities and the installation of erosion and sedimentation control practices to reduce on-site erosion and off-site sedimentation.
- Preservation of Existing Vegetation. Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, landscape beautification, dust control, pollution control, noise reduction, and shade.
- Mulching. Loose bulk materials will be applied to the soil surface as a temporary cover to reduce erosion by protecting bare soil from rainfall impact, increasing infiltration, and reducing runoff.
- Soil Stabilizers. Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities.
- Slope Roughening/Terracing/Rounding. Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff

velocities, trapping sediment, and increasing infiltration of water into the soil, aiding in the establishment of vegetative cover from seed.

BIO-13: Project activities that may affect the flow of the river through placement of fill, bridge construction, or dewatering of the channel must comply with the 2001 NMFS Guidelines for Salmonid Passage at Stream Crossings, where applicable. The guidelines include but are not limited to:

- a minimum water depth (12 inch for adults and 6 inch for juveniles) at the low fish passage,
- a maximum hydraulic drop of 1 foot for adults and 6 inches for juveniles,
- avoidance of abrupt changes in water surface and velocities, and
- structures shall be aligned with the stream, with no abrupt changes inflow direction upstream or downstream of the crossing.

BIO-14: All water pumping or withdrawal from the river must comply with 1997 NMFS Fish Screening Criteria for Anadromous Salmonids, where applicable, to avoid entrainment of fish. The criteria include but are not limited to the following:

- screen design must provide for uniform flow distribution over the surface of the screen,
- screen material openings must not exceed 3/32 inches for fry sized salmonids and shall not exceed 1/4 inch for fingerling sized salmonids,
- where physically practical, the screen must be constructed at the diversion entrance. The screen face should be generally parallel to river flow and aligned with the adjacent bankline,
- the design approach velocity must not exceed 0.33 feet per second for fry sized salmonids or 0.8 feet per second for fingerling sized salmonids, and
- the screen design must provide for uniform flow distribution over the surface of the screen.

BIO-15: Pursuant to Executive Order 13112 and the control of invasive species:

- Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spreading of noxious weeds.
- All landscaping and revegetation must consist of a biologist approved plant or seed mix comprised of native, locally adapted materials.

BIO-16: The County will prepare a riparian restoration plan to be reviewed and approved by USACE, the Central Valley Flood Protection Board (CVFPB), NMFS, and any other applicable agencies prior to construction. This plan will include restoration of areas impacted by the proposed Project, and will aim to establish a healthy riparian corridor around the river.

Giant Garter Snake

BIO-17: Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat, except as described in the project description.

BIO-18: Construction activity within giant garter snake habitat shall be conducted between May 1 and October 1.

BIO-19: Construction personnel shall participate in a USFWS-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the FESA. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.

BIO-20: Within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the USFWS's Sacramento Fish and Wildlife Office. The biologist will provide the USFWS with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. Information that should be included in a field report form is provided in the USFWS Programmatic Consultation Biological Opinion (service No. 1-1-F-97-149). The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the FESA. The biologist shall be required to report any incidental take to the USFWS immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.

BIO-21: Movement of heavy equipment to and from the project site shall be restricted to established roadways to minimize habitat disturbance.

BIO-22: Preserved giant garter snake habitat shall be designated as Environmentally Sensitive Areas and shall be flagged by a qualified biologist approved by the USFWS and avoided by all construction personnel.

BIO-23: After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas shall be restored to pre-project conditions. Restoration work may include replanting vegetation and shall be consistent with the guidelines provided in BIO-24 below.

BIO-24: Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below.

a) Restoring of giant garter snake habitat includes minimizing impacts of project activities to the existing habitat, including using silt fencing, designating environmentally sensitive areas, using protective mats, preventing runoff, and providing worker awareness training.
b) Remove all construction debris and stockpiled materials.
c) Regrade area to preexisting contour, or a contour that would improve restoration potential of the site.

d) Replant and hydroseed the restoration area. Recommended plantings consist of a) wetland emergents, b) low-growing cover on or adjacent to banks, and c) upland plantings/hydroseeding mix to encourage use by other wildlife. Riparian plantings are not appropriate because shading may result in lack of basking sites. Native plantings are encouraged except where nonnatives will provide additional values to wildlife habitat and will not become invasive in native communities. The applicant shall obtain cuttings, plantings, plugs, or seeds, from local sources wherever possible. The applicant shall attempt to restore conditions similar to that of adjacent or nearby habitats.
    i) Emergent wetland plants recommended for giant garter snake habitat are California bulrush, cattail, and water primrose. Additional wetland plantings may include common tule, Baltic rush, or duckweed.
    ii) Cover species on or adjacent to the bank may include California blackberry, or wild grape, along with the hydroseeding mix recommended below.
    iii) Upland plantings/hydroseeding mix: disturbed soil surfaces such as levee slopes shall be hydroseeded to prevent erosion. The Service recommends a mix of at least 20-40 percent native grass seeds [such as annual fescue, California brome, blue wildrye, and needle grass, 2-10 percent native forb seeds, five percent rose clover, and five percent alfalfa. Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses (such as wild oats, wheat, and barley). The hydroseed mix shall not include aggressive non-native grasses, such as perennial ryegrass, cheatgrass, fescue, giant reed, medusa-head, or Pampas grass. No endophyte-infected grasses shall be included in the mix. Mixes of one-hundred percent native grasses and forbs may also be used, and are encouraged.

BIO-25: The USFWS-approved biologist shall notify the USFWS immediately if giant garter snakes are found on site, and will submit a report including date(s), location(s), habitat description, and any corrective measures taken to protect the snake(s) found. The USFWS-approved biologist shall submit locality information to the California Department of Fish & Wildlife, using completed California Native Species Field Survey Forms or their equivalent, no more than 90 calendar days after completing the last field visit of the project site.

BIO-26: A post-construction compliance report prepared by the USFWS approved monitoring biologist shall be forwarded to the Chief, Endangered Species Division, at the Sacramento Fish and Wildlife Office within 60 calendar days of the completion of the project. This report shall detail (I) dates that construction occurred; (ii) pertinent information concerning the applicant's success in meeting project mitigation measures; (iii) an explanation of failure to meet such measures, if any; (iv) known project effects on federally listed species, if any; (v) occurrences of incidental take of federally listed species, if any; and (vi) other pertinent information.

BIO-27: The Sacramento Fish and Wildlife Office is to be notified within three working days of the finding of any dead listed species or any unanticipated harm to giant garter snake. The USFWS contact person for this is the Chief, Endangered Species Division at (916) 979-2725.

BIO-28: All construction shall be conducted during daylight hours.

BIO-29: A Water Pollution Control Program (WPCP) shall be prepared by the contractor in accordance with typical provisions associated with a Regional General Permit for Construction Activities (on file with the Central Valley Regional Water Quality Control Board). The WPCP shall contain a Spill Response Plan with instructions and procedures for reporting spills, the use and location of spill containment equipment, and the use and location of spill collection materials.

BIO-30: Prior to the start of construction, the County will obtain permit approvals from all applicable agencies for impacts to Waters of the United States and Waters of the State of California. For this project a Clean Water Act Section 404 Nationwide Permit 14 from Army Corps of Engineers, a Clean Water Act Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife will be required.

BIO-31: Prior to the start of construction, environmental awareness training will be provided to all construction personnel by a qualified biologist. Environmental awareness training will focus on state and federal special status species that have the potential to occur in the project area, how to identify those species, and how to proceed if any are observed within the work area.

BIO-32: If any state listed species is observed in the project area during construction, all work in the immediate area will be stopped and Sutter County will coordinate with CDFW to ensure potential impacts to the species are minimized and/or avoided. Construction will not resume until approval from CDFW is obtained.

BIO-33: Use of products with plastic monofilament or cross joints in the netting that are bound stitched may cause entrapment of wildlife and will not be used during construction. All non-biodegradable materials used for erosion control, such as silt fencing, will be removed upon project completion.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

Responses:

a) **No Impact:** An archaeological field survey was conducted by Mr. Namat Hosseinion (Archaeologist) on June 13, 2013 for the purpose of identifying and recording archaeological resources. The field survey did not result in the identification of any historical resources.

The proposed project will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, or an archaeological resource pursuant to §15064.5. It appears there are no historical resources located within the Project Area Limits (PAL), therefore no impact to cultural resources are anticipated.

b) **Less than Significant Impact with Mitigation Incorporated:** A records search was performed by the Northeast Information Center (NIC) June 18, 2013 to determine the presence or absence of archaeological resources within the project area that would be eligible for inclusion on the National Register of Historic Places or the California Register of Historical Resources. This search found that no cultural resources have been previously recorded within the PAL or within a half mile of the PAL. In addition the field survey conducted on June 13, 2013 did not identify any archaeological resources within the PAL. Based on research and the field survey results no archaeological resources are expected to be encountered during project construction. Measure CUL-1 would minimize the potential for impacts to archaeological resources should they be encountered during construction activities. CUL-2 would minimize the potential for impacts as a result of discovery of human remains during construction.

c) **No Impact:** The project footprint has been previously disturbed by the exiting culvert structure and road; therefore no Paleontological resources are anticipated to be impacted.

d) **No Impact:** Disturbance to human remains, including those interred outside of formal cemeteries, is not anticipated. If human remains are discovered, California Health and Safety Code Section 7050.5 states that no further site disturbance can occur until the County Coroner has made the necessary findings as to the origin of the remains and their disposition pursuant to

Public Resources Code Section 5097.98. If the remains are recognized to be those of a Native American, the coroner shall contact the Native American Heritage Commission within 24 hours.

(County of Sutter, 2030 General Plan. 2008)

Measures:

CUL-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.

CUL-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. Further provisions of PRC 5097.98 are to be followed as applicable.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zone 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.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, c-e) **No Impact.** The project is the replacement of a bridge over Coon Creek. The project is roughly 11.7 miles from the nearest earthquake fault. This fault is pre-quaternary and is not active, although there is the potential for activity. No earthquakes have been recorded within Sutter County (Sutter County General Plan 2008). The project will not expose people or structures to potential substantial adverse effects due to rupture or a known earthquake fault, seismic ground shaking, seismic-related ground failure including liquefaction.

The project will not result in on- or off-site landslide; lateral spreading, subsidence, liquefaction or collapse. The project is within a landslide-free zone due to its flat topography.

The project site is not located on expansive soils (NRCS 2013), and therefore does not create substantial risks to life or property.

The project will not utilize septic tanks or an alternative waste water disposal system on the site. Therefore, the proposed project will not result in an impact due to soils incapable of adequately supporting septic systems.

b) **Less Than Significant.** The project is the replacement of Brewer Road Bridge over Coon Creek. Rehabilitation of the Brewer Road Bridge will be accomplished through removal and replacement of the three metal pipe culverts. Phased construction and implementation of earthen diversion of the creek will be used to separate construction activities with the live creek channel. Rock slope protection is proposed to be added on both sides of the rehabilitated bridge crossing to minimize the potential for scour and future failure of the replacement culverts. Considering the scale of the project, standard construction related erosion control practices, and the use of erosion control hydroseed outlined in measure **BIO-24**, the project will have a less than significant impact on soil erosion.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Responses:

a, b) **Less Than Significant Impact:** In addition to adherence to local, regional, and state standards for pollutants shown in Table 1 of Section III Air Quality, all projects under CEQA are required to identify any potential impacts the project may have on Climate Change and emission of Greenhouse Gasses (GHG). Senate Bill No. 97, Chapter 185, amended CEQA guidelines to be able to address GHG and Climate Change. The California Global Warming Solutions Act of 2006 (AB 32) designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of GHG that cause global warming in order to reduce emission of GHG. Common GHG includes vapor, carbon dioxide, methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride, ozone, and aerosols.

As discussed in Section III. Air Quality, the project will not have any significant permanent or temporary impacts to air quality with inclusion of BMPs. For the same reasons, the project will not have any significant impacts on Climate Change or GHG emissions. GHG emissions by the proposed project are not considered significant. Sutter County has developed a Climate Action Plan (2010) to achieve emission reduction goals outlined by Global Warming Solutions Act of 2006 (AB 26). Because the project is a bridge replacement project, it is not anticipated to conflict with the County's Climate Action Plan.

(County of Sutter, 2030 General Plan. 2008; Sutter County Climate Action Plan, 2011)

VIII.HAZARDS/HAZARDOUS MATERIALS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☒	☐	☐
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?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

Responses:

a) **Less Than Significant Impact with Mitigation Incorporated:** Routine hazardous waste materials such as gasoline will be used and transported in the project area during construction activities; no fueling activities will take place within the riparian zone or the active waterway. The proposed project will have a less than significant impact on solid waste. Solid waste from the project will be disposed of through the local waste disposal Company in a sanitary landfill in

Sutter County which has sufficient capacity to serve this small project. A field inspection of the project area was conducted to investigate for the presence of hazardous substances; however, no hazards or hazardous materials were identified. As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction. Measure HAZ-1 will ensure that impacts caused by discovery of unknown hazards during construction will remain less than significant.

b- g) **No Impact:** The proposed project will not 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 as it is a maintenance project which will include dredging of built up sediment. The project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school as the project is a maintenance project which will include dredging of built up sediment.

The project is not located on a site included in the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, which is also known as the Cortese List. A review of the Department of Toxic Substances Control EnviroStor Database indicated that there were no sites within ½-mile of the project study area listed on EnviroStor Database (EnviroStor 2013).

The closest public airport is the Lincoln Regional Airport located approximately 5.5 miles southeast of the project area. The closest private airstrip is the Van Dyke Airstrip located approximately 5 miles southwest of the project site. The project is not within the Airport land use plan area or airport influence area for either airport.

During construction, there will be no temporary substantial effects to public services such as fire, police, or emergency medical response. The project proposes to replace a bridge that is currently collapsed and impassible.

h) **No Impact:** This project will not expose people or structures to a significant risk of loss, injury or death involving wild fires. The General Plan indicates the “river bottoms”, or those areas along the Sacramento, Feather, and Bear Rivers within the levee system, are susceptible to wild fires since much of the area inside the levees are left in a natural state, thereby allowing combustible fuels to accumulate over long periods of time. Since the subject property is used for agricultural purposes and is not located in the Sutter Buttes or “river bottom” areas, there will be no significant risk of loss, injury or death involving wildland fires as a result of the proposed project. No impact is anticipated.

(County of Sutter, 2030 General Plan. 2008 Sutter County Community Services Department)

Measures:

HAZ-1: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction (such as previously undetected petroleum hydrocarbon contamination from nearby sources or potential explosive threat if a gas pipeline is ruptured during construction). For any previously unknown hazardous waste/material encountered during construction, work will stop and the Resident Engineer will coordinate with the Sutter County Environmental Health Department to identify appropriate and safe remediation and disposal of the discovered hazard.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐
b) Substantially deplete ground water supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☒	☐	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Responses:

a) **Less than Significant Impact with Mitigation Incorporated:** Regulations governing the protection of water quality include the Clean Water Act (Federal), the Porter-Cologne Water Quality Control Act (State), and project specific requirements (such as the NPDES) governed by the State Water Resources Control Board (SWRCB) and the Regional Water Quality Control Boards (RWQCB). The project will maintain or improve the hydraulic capacity of the culverts. BMPs will be incorporated throughout construction activities as outlined in the water permits such as the Section 401 and 404 permits will be obtained by the applicable regulatory agencies (see Measure **BIO-30** under Section IV Biological Resources). By including these measures, the project will not violate any water quality standards or waste discharge requirements.

b) **No Impact:** The project does not propose activities requiring permanent increases in groundwater use. No new buildings that will increase water usage are proposed.

c) **Less Than Significant Impact with Mitigation Incorporated:** The project proposes phased construction, and implementation of earthen diversion of the creek will be used to separate construction activities from the live creek channel. Furthermore, the project will be required to obtain permits for activities taking place within Waters of the U.S. and State including compliance with Sections 401 and 404 of the Clean Water Act (see measure **BIO-30** under Section IV Biological Resources). These permits will impose conditions to ensure construction activities do not substantially impact water quality. Considering that these diversions will be temporary, combined with the permit conditions, the risk of substantial erosion or siltation on- or off-site is considered less that significant.

d-g) **No Impact:** The project proposes to replace an existing bridge with a bridge of similar design and dimensions and no increases in impervious surfaces are anticipated. As a result, no increases in surface runoff will occur and the project will not cause runoff to exceed existing drainage systems. Therefore, the project will not degrade water quality. Also, the project does not include placing housing within a 100-year flood hazard.

h) **Less Than Significant:** The project site is within the 100-year flood hazard zone. The project proposes to rehabilitate the existing Brewer Road Bridge over Coon Creek, which is failing. The new bridge will allow for equal or greater hydraulic capacity, and will be better aligned with the channel. The new bridge will therefore not impede or redirect flow more than the current levels.

i-j) **No Impact:** The project will have no impact on or be affected by inundation from seiche, tsunami, or mudflow because the land is relatively flat and not located adjacent to or near any water bodies of sufficient size to create such situations.

(County of Sutter, 2030 General Plan. 2008)
(Federal Emergency Management Administration, Flood Insurance Rate Map, 1988)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐

Responses:

a) **No Impact:** The project will not physically divide an established community because the project site is not located within, or proximate to, the cities of Live Oak, Yuba City or the County's recognized rural communities. No impact is anticipated.

b) **Less than Significant Impact:** The project will not conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. This project proposes to replace a failing crossing of Coon Creek and reopen Brewer Road. The General Plan designation for the property is AG-80 (General Agricultural 80-acre minimums). The proposed bridge replacement is consistent with this land use designation and a less than significant impact is anticipated.

c) **Less than Significant Impact:** The proposed project will not conflict with any applicable habitat conservation plan or natural community conservation plan. The property is located within the boundary area of the proposed Yuba Sutter Regional Conservation Plan (YSRCP). This project does not propose any uses or structures that are inconsistent with the YSRCP. Additionally, no plan has been completed or adopted at this time; therefore a less than significant impact is anticipated.

(County of Sutter, General Plan 2015, Zoning Code 1998, as updated)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The proposed project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or 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. The General Plan and State of California Division of Mines and Geology Special Publication 132 do not list the site as having any substantial mineral deposits of a significant or substantial nature, nor is the site located in the vicinity of any existing surface mines. No impact will result.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XII. NOISE Would the project result in:				
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinances, or applicable standards of other agencies?	☐	☒	☐	☐
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Responses:

a, b) **Less Than Significant Impact with Mitigation Incorporated.** The project is consistent with the Sutter County General Plan, Noise Element (Sutter County 2008). The closest sensitive noise receptor is over 700 feet from the proposed construction area. The Sutter County General Plan Policy N1.6 states that construction noise within 1,000 feet of noise-sensitive uses (i.e., residential uses, daycares, schools, convalescent homes, and medical care facilities) is limited to daytime hours between 7:00 am and 6:00 pm on weekdays, 8:00 am and 5:00 pm on Saturdays, and is prohibited on Sundays and holidays unless permission for the latter has been applied for and granted by the County. No adverse noise impacts from construction are anticipated because construction would be conducted in accordance with applicable local noise standards discussed above. The project noise impacts are limited to temporary, intermittent construction noise in the immediate project area. The project will not result in any noise generation other than construction noise. Measure **NOI-1** would ensure construction activities are limited to the hours allowed by the County General Plan.

c, d) **No Impact:** No permanent increase in ambient noise will take place due to the project. The only noise impacts will take place during the construction period and they will be limited to daytime hours as stated above.

e, f) **No Impact:** Brewer Road Bridge is located 5.5 miles from the Lincoln Regional Airport and 5 miles from the private airstrip, Van Dyke Strip; however, the minimal construction activities are not expected to cause excessive noise. Therefore, no impacts will occur as a result of the project.

Measures:

NOI-1: All noise-generating construction activities shall be limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Noise-generating construction activities are prohibited on Sundays and holidays. If special circumstances are identified which require construction outside of these times, the Resident Engineer will coordinate with Sutter County to obtain approval beforehand.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XIII.POPULATION AND HOUSING Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of people or existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The project is a bridge replacement project. No impacts will occur to population growth directly or indirectly as a result of the proposed project. The project will not displace people, housing nor necessitate the construction of replacement housing elsewhere.

(County of Sutter, 2030 General Plan. 2008)

XIV. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

Responses:

a i-ii) **Less Than Significant Impact:** The proposed project is a bridge replacement for Brewer Road Bridge over Coon Creek. The bridge is currently closed due to the complete collapse of one culvert and the partial collapse of a second. The crossing will remain closed until the completion of a new bridge; this will require traffic to detour to a nearby crossing. The project will have a less than significant impact to fire protection and police protection. Completion of the project will allow for increased response times of public services.

iii) **No Impact:** The closest school is Brown Elementary School, located 4 miles from the project area. No impacts to schools are expected as a result of this project.

iv-v) **No Impact:** The project site is not near any schools, parks or other public facilities. The project will not result in the need for new or physically altered parks, or other public facilities.

(County of Sutter, 2030 General Plan. 2008)
(Zoning Code 1998, as updated)

XV. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Responses:

a, b) **No Impact:** The project will replace the failing Brewer Road Bridge over Coon Creek. There are no nearby parks or recreation facilities and the proposed project isn't expected to have any effect on the use of neighboring parks and recreational facilities. The project will not result in the need for expansion of nor construction of new recreational facilities.

(County of Sutter, 2030 General Plan. 2008)

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

Responses:

a-f) **No Impact:** This project does not conflict with any existing plan, policy, or ordinance as they relate to the performance of the circulation system. The project would replace the existing culverts at the Brewer Road crossing over Coon Creek and will allow Brewer Road to be reopened to through traffic. There is no potential for the project to conflict with any existing congestion management program or degrade existing congestion. The project will not have any effect on the air traffic patterns or traffic levels. The project will not increase hazards due to a design feature or incompatible use as it is the maintenance of a failed bridge. The project will not result in inadequate emergency access, nor will it conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

(Institute of Traffic Engineers, Trip Generation Manual, 7th Edition)
(County of Sutter, 2030 General Plan. 2008)

XVII UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or, are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it had adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐

Responses:

a, b, c, d, e) **No Impact:** The project proposes replacing the existing bridge over Coon Creek, with a new bridge of similar size and design. The new bridge will not increase the impervious surfaces in the area, and will not increase the surface runoff of the area. The project will not result in exceeding wastewater treatment requirements for the applicable Regional Water Quality Control Board. The project will not result in the need for new wastewater treatment facilities, new storm water drainage facilities or expansion of existing facilities.

f, g) **Less than significant impact**. The proposed project will have a less than significant impact on solid waste. Solid waste from the project will be disposed of through the local waste disposal company in a sanitary landfill in Sutter County which has sufficient capacity to serve the project. Disposal of solid waste into that facility will comply with all federal, state and local statutes and regulations related to solid waste, and a less than significant impact is anticipated.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to 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?	☐	☒	☐	☐
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Responses:

a) **Less than significant with mitigation incorporated:** As discussed in Section IV Biological Resources no significant impacts are anticipated with the inclusion of appropriate avoidance, minimization and/or mitigation measures. Inclusion of these measures will ensure that the project will not have the potential to 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 rare or endangered plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal.

b) **Less than significant impact**. No environmental effects were identified in the initial study which indicates the project will have impacts that achieve short term goals to the disadvantage of long term environmental goals.

c) **Less than significant impact.** No environmental effects were identified in the initial study which indicates the project will have impacts that are individually limited, but cumulatively considerable.

d) **Less than significant impact**. No environmental effects which will cause substantial adverse effects on human beings either directly or indirectly were identified in the initial study.

XIX MITIGATION MONITORING PROGRAM – Brewer Road over Coon Creek Project

Mitigation Measure	Timing	Monitoring Agency
AQ-1: When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	During Construction	Sutter County
AQ-2: Limit area subject to excavation, grading, and other construction activity at any one time.	During Construction	Sutter County
AQ-3: Reduce idling time for vehicles.	During Construction	Sutter County
BIO-1: To ensure compliance with MBTA and CDFW code, vegetation removal and work should be avoided outside the nesting season (defined as February 15 – August 15). If this is not possible and vegetation removal or work is to occur during the nesting season, a pre-construction survey shall be conducted no more than 15 days prior to the onset of ground disturbance or vegetation removal. If at any time during the project implementation, should construction halt for more than 15 days, an additional survey for active raptor nests should be conducted. The pre-construction survey shall be performed by a qualified biologist, to determine the presence of nesting birds and ensure active nests are not directly or indirectly impacted during construction. The pre-construction survey area will include the limits of the project impact area plus a 300-ft buffer. If work is planned to begin in an area during the nesting season (February 15 – August 15), all vegetation removal shall be completed within two weeks of the nesting survey if the survey determines no active nests are present. If nests are found, the CDFW recommends maintaining an exclusionary buffer, with no ingress of personnel or equipment until the chicks have fledged, to avoid impacts to active bird nests. The exclusionary buffer should be performance-based as it may need to be adjusted based on the birds' tolerance level to the disturbance. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased so that activities are far enough from the nest to stop this agitated behavior by the bird. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.	Prior to and During Construction	Sutter County
BIO-2: If construction on the existing bridge is planned to occur during the swallow nesting season, measures shall be taken to avoid impacts to migratory swallows. To protect migratory swallows, unoccupied nests will be removed from the existing bridge structure prior to the nesting season (March 1 – August 15). During the nesting season, the bridge structure shall be maintained through the active removal of partially constructed nests. Swallows can complete nest construction in approximately 3 days. After a nest is completed, it can no longer be removed until an approved biologist has determined that all birds have	Prior to and During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
fledged and the nest is no longer being used.		
BIO-3: Prior to initiating construction, Environmentally Sensitive Area (ESA) fence will be installed along the construction limits to prevent encroachment into the riparian areas adjacent to the construction site.	Prior to Construction	Sutter County
BIO-4: Project-related vehicles and construction equipment shall be restricted to designated work areas.	During Construction	Sutter County
BIO-5: The contractor shall dispose of all food-related trash in closed containers, and shall remove it from the project area each day during the construction period. Construction personnel shall not feed or otherwise attract wildlife to the project area.	During Construction	Sutter County
BIO-6: If any wildlife is encountered during the course of construction, said wildlife shall be allowed to leave the construction area unharmed.	During Construction	Sutter County
BIO-7: All construction work that will take place in the live channel must occur between June 1 and August 30 to minimize project effects during the adult steelhead migration season (September-March).	During Construction	Sutter County
BIO-8: In-channel work will not be conducted at night to afford fish quiet, unobstructed passage during night time migratory hours.	During Construction	Sutter County
• **BIO-9:** Prior to the start of construction activities within Coon Creek, a qualified biologist shall direct the use of weighted fish nets, or a similar barrier to ensure fish are not located within the construction zone during construction of the temporary diversion. Once the diversion has been installed, the nets or other barriers will be removed to allow fish passage through the remaining open pipe.	During Construction	Sutter County
BIO-10: This process described in BIO-9 above will be repeated under the supervision of a qualified biologist for all parts of construction where earth movement or other construction activities could impact fish in the construction area.	During Construction	Sutter County
BIO-11: To minimize the potential for accidental spills of materials hazardous to the aquatic environment, a Spill Prevention Control and Countermeasure Plan (SPCCP) will be prepared.	Prior to Construction	Sutter County
BIO-12: Contract specifications will include the following BMPs, where applicable, to reduce erosion during construction. • Scheduling. A specific work schedule will be implemented to coordinate the timing of land disturbing activities and the installation of erosion and sedimentation control practices to reduce on-site erosion and off-site sedimentation. • Preservation of Existing Vegetation. Existing vegetation will be protected in place where feasible to provide an effective form of erosion and sediment control, as well as watershed protection, landscape beautification, dust control, pollution control, noise reduction, and shade. • Mulching. Loose bulk materials will be applied to the soil surface as a temporary cover to reduce erosion by protecting bare soil from rainfall impact, increasing infiltration, and reducing runoff.	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
• Soil Stabilizers. Stabilizing materials will be applied to the soil surface to prevent the movement of dust from exposed soil surfaces on construction sites as a result of wind, traffic, and grading activities. • Slope Roughening/Terracing/Rounding. Roughening and terracing will be implemented to create unevenness on bare soil through the construction of furrows running across a slope, creation of stair steps, or by utilization of construction equipment to track the soil surface. Surface roughening or terracing reduces erosion potential by decreasing runoff velocities, trapping sediment, and increasing infiltration of water into the soil, aiding in the establishment of vegetative cover from seed.		
BIO-13: Project activities that may affect the flow of the river through placement of fill, bridge construction, or dewatering of the channel must comply with the 2001 NMFS Guidelines for Salmonid Passage at Stream Crossings, where applicable. The guidelines include but are not limited to: • a minimum water depth (12 inch for adults and 6 inch for juveniles) at the low fish passage, • a maximum hydraulic drop of 1 foot for adults and 6 inches for juveniles, • avoidance of abrupt changes in water surface and velocities, and • structures shall be aligned with the stream, with no abrupt changes inflow direction upstream or downstream of the crossing.	During Construction	Sutter County
BIO-14: All water pumping or withdrawal from the river must comply with 1997 NMFS Fish Screening Criteria for Anadromous Salmonids, where applicable, to avoid entrainment of fish. The criteria include but are not limited to the following: • screen design must provide for uniform flow distribution over the surface of the screen, • screen material openings must not exceed 3/32 inches for fry sized salmonids and shall not exceed 1/4 inch for fingerling sized salmonids, • where physically practical, the screen must be constructed at the diversion entrance. The screen face should be generally parallel to river flow and aligned with the adjacent bankline, • the design approach velocity must not exceed 0.33 feet per second for fry sized salmonids or 0.8 feet per second for fingerling sized salmonids, and • the screen design must provide for uniform flow distribution over the surface of the screen.	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
BIO-15: Pursuant to Executive Order 13112 and the control of invasive species: • Prior to arrival at the project site and prior to leaving the project site, construction equipment that may contain invasive plants and/or seeds shall be cleaned to reduce the spreading of noxious weeds. • All landscaping and revegetation must consist of a biologist approved plant or seed mix comprised of native, locally adapted materials.	During Construction	Sutter County
BIO-16: The County will prepare a riparian restoration plan to be reviewed and approved by USACE, the Central Valley Flood Protection Board (CVFPB), NMFS, and any other applicable agencies prior to construction. This plan will include restoration of areas impacted by the proposed Project, and will aim to establish a healthy riparian corridor around the river.	During Construction	Sutter County
BIO-17: Avoid construction activities within 200 feet from the banks of giant garter snake aquatic habitat, except as described in the project description.	During Construction	Sutter County
BIO-18: Construction activity within giant garter snake habitat shall be conducted between May 1 and October 1.	During Construction	Sutter County
BIO-19: Construction personnel shall participate in a USFWS-approved worker environmental awareness program. Under this program, workers shall be informed about the presence of giant garter snakes and habitat associated with the species and that unlawful take of the animal or destruction of its habitat is a violation of the FESA. Prior to construction activities, a qualified biologist approved by the USFWS shall instruct all construction personnel about: (1) the life history of the giant garter snake; (2) the importance of irrigation canals, marshes/wetlands, and seasonally flooded areas, such as rice fields, to the giant garter snake; and (3) the terms and conditions of the biological opinion. Proof of this instruction shall be submitted to the Sacramento Fish and Wildlife Office.	During Construction	Sutter County
BIO-20: Within 24-hours prior to commencement of construction activities, the site shall be inspected by a qualified biologist who is approved by the USFWS's Sacramento Fish and Wildlife Office. The biologist will provide the USFWS with a field report form documenting the monitoring efforts within 24-hours of commencement of construction activities. Information that should be included in a field report form is provided in the USFWS Programmatic Consultation Biological Opinion (service No. 1-1-F-97-149). The monitoring biologist needs to be available thereafter; if a snake is encountered during construction activities, the monitoring biologist shall have the authority to stop construction activities until appropriate corrective measures have been completed or it is determined that the snake will not be harmed. Giant	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
garter snakes encountered during construction activities should be allowed to move away from construction activities on their own. Capture and relocation of trapped or injured individuals can only be attempted by personnel or individuals with current USFWS recovery permits pursuant to section 10(a)1(A) of the FESA. The biologist shall be required to report any incidental take to the USFWS immediately by telephone at (916) 979-2725 and by written letter addressed to the Chief, Endangered Species Division, within one working day. The project area shall be re-inspected whenever a lapse in construction activity of two weeks or greater has occurred.		
BIO-21: Movement of heavy equipment to and from the project site shall be restricted to established roadways to minimize habitat disturbance.	During Construction	Sutter County
BIO-22: Preserved giant garter snake habitat shall be designated as Environmentally Sensitive Areas and shall be flagged by a qualified biologist approved by the USFWS and avoided by all construction personnel.	During Construction	Sutter County
BIO-23: After completion of construction activities, any temporary fill and construction debris shall be removed and, wherever feasible, disturbed areas shall be restored to pre-project conditions. Restoration work may include replanting vegetation and shall be consistent with the guidelines provided in BIO-24 below.	Post Construction	Sutter County
BIO-24: Following project completion, all areas temporarily disturbed during construction shall be restored following the "Guidelines for Restoration and/or Replacement of Giant Garter Snake Habitat" outlined below. a) Restoring of giant garter snake habitat includes minimizing impacts of project activities to the existing habitat, including using silt fencing, designating environmentally sensitive areas, using protective mats, preventing runoff, and providing worker awareness training. b) Remove all construction debris and stockpiled materials. c) Regrade area to preexisting contour, or a contour that would improve restoration potential of the site. d) Replant and hydroseed the restoration area. Recommended plantings consist of a) wetland emergents, b) low-growing cover on or adjacent to banks, and c) upland plantings/hydroseeding mix to encourage use by other wildlife. Riparian plantings are not appropriate because shading may result in lack of basking sites. Native plantings are encouraged except where nonnatives will provide additional values to wildlife habitat and will not become invasive in native communities. The applicant shall obtain cuttings, plantings, plugs, or seeds, from local sources wherever possible. The applicant shall attempt to restore conditions similar to that of adjacent or nearby habitats.	Post Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
i) Emergent wetland plants recommended for giant garter snake habitat are California bulrush, cattail, and water primrose. Additional wetland plantings may include common tule, Baltic rush, or duckweed. ii) Cover species on or adjacent to the bank may include California blackberry, or wild grape, along with the hydroseeding mix recommended below. iii) Upland plantings/hydroseeding mix: disturbed soil surfaces such as levee slopes shall be hydroseeded to prevent erosion. The Service recommends a mix of at least 20-40 percent native grass seeds [such as annual fescue, California brome, blue wildrye, and needle grass, 2-10 percent native forb seeds, five percent rose clover, and five percent alfalfa. Approximately 40-68 percent of the mixture may be non-aggressive European annual grasses (such as wild oats, wheat, and barley). The hydroseed mix shall not include aggressive non-native grasses, such as perennial ryegrass, cheatgrass, fescue, giant reed, medusa-head, or Pampas grass. No endophyte-infected grasses shall be included in the mix. Mixes of one-hundred percent native grasses and forbs may also be used, and are encouraged.		
BIO-25: The USFWS-approved biologist shall notify the USFWS immediately if giant garter snakes are found on site, and will submit a report including date(s), location(s), habitat description, and any corrective measures taken to protect the snake(s) found. The USFWS-approved biologist shall submit locality information to the California Department of Fish & Wildlife, using completed California Native Species Field Survey Forms or their equivalent, no more than 90 calendar days after completing the last field visit of the project site.	During Construction	Sutter County
BIO-26: A post-construction compliance report prepared by the USFWS approved monitoring biologist shall be forwarded to the Chief, Endangered Species Division, at the Sacramento Fish and Wildlife Office within 60 calendar days of the completion of the project. This report shall detail (I) dates that construction occurred; (ii) pertinent information concerning the applicant's success in meeting project mitigation measures; (iii) an explanation of failure to meet such measures, if any; (iv) known project effects on federally listed species, if any; (v) occurrences of incidental take of federally listed species, if any; and (vi) other pertinent information.	Post Construction	Sutter County
BIO-27: The Sacramento Fish and Wildlife Office is to be notified within three working days of the finding of any dead listed species or any unanticipated harm to giant garter snake. The USFWS contact person for this is the Chief, Endangered Species Division at (916) 979-2725.	During Construction	Sutter County
BIO-28: All construction shall be conducted during daylight hours.	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
BIO-29: A Water Pollution Control Program (WPCP) shall be prepared by the contractor in accordance with typical provisions associated with a Regional General Permit for Construction Activities (on file with the Central Valley Regional Water Quality Control Board). The WPCP shall contain a Spill Response Plan with instructions and procedures for reporting spills, the use and location of spill containment equipment, and the use and location of spill collection materials.	Prior to and During Construction	Sutter County
BIO-30: Prior to the start of construction, the County will obtain permit approvals from all applicable agencies for impacts to Waters of the United States and Waters of the State of California. For this project a Clean Water Act Section 404 Nationwide Permit 14 from Army Corps of Engineers, a Clean Water Act Section 401 Water Quality Certification from the Central Valley Regional Water Quality Control Board, and a Section 1602 Streambed Alteration Agreement from the California Department of Fish and Wildlife will be required.	Prior to Construction	Sutter County
BIO-31: Prior to the start of construction, environmental awareness training will be provided to all construction personnel by a qualified biologist. Environmental awareness training will focus on state and federal special status species that have the potential to occur in the project area, how to identify those species, and how to proceed if any are observed within the work area.	Prior to Construction	Sutter County
BIO-32: If any state listed species is observed in the project area during construction, all work in the immediate area will be stopped and Sutter County will coordinate with CDFW to ensure potential impacts to the species are minimized and/or avoided. Construction will not resume until approval from CDFW is obtained.	During Construction	Sutter County
BIO-33: Use of products with plastic monofilament or cross joints in the netting that are bound stitched may cause entrapment of wildlife and will not be used during construction. All non-biodegradable materials used for erosion control, such as silt fencing, will be removed upon project completion.	During Construction	Sutter County
CUL-1: If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find.	During Construction	Sutter County
CUL-2: If human remains are discovered, State Health and Safety Code Section 7050.5 states that further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner contacted. Pursuant to Public Resources Code (PRC) Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission who will then notify the Most Likely Descendent. Further provisions of PRC 5097.98 are to	During Construction	Sutter County

Mitigation Measure	Timing	Monitoring Agency
be followed as applicable.		
HAZ-1: As is the case for any project that proposes excavation, the potential exists for unknown hazardous contamination to be revealed during project construction (such as previously undetected petroleum hydrocarbon contamination from nearby sources or potential explosive threat if a gas pipeline is ruptured during construction). For any previously unknown hazardous waste/material encountered during construction, work will stop and the Resident Engineer will coordinate with the Sutter County Environmental Health Department to identify appropriate and safe remediation and disposal of the discovered hazard.	During Construction	Sutter County
NOI-1: All noise-generating construction activities shall be limited to daytime hours between 7:00 a.m. and 6:00 p.m. on weekdays and 8:00 a.m. and 5:00 p.m. on Saturdays. Noise-generating construction activities are prohibited on Sundays and holidays. If special circumstances are identified which require construction outside of these times, the Resident Engineer will coordinate with Sutter County to obtain approval beforehand.	During Construction	Sutter County

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United States Geological Survey Quadrangles

U. S. Department of Housing and Urban Development. *The Noise Guidebook*

Appendix A

Public Comments and Responses

Comment 1.

California Department of Fish and Wildlife (received via email, 02/04/14)

State of California -The Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95667
(916) 358-2900
http://www.dfg.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director

February 4, 2014

Neal Hay, Senior Civil Engineer
Sutter County Public Works Department
1130 Civic Center Boulevard
Yuba City, CA 95993

Subject: Comments on the Initial Study/Mitigated Negative Declaration for the Brewer Road Bridge Replacement Project, SCH 2014012010

Dear Mr. Hay:

The California Department of Fish and Wildlife (CDFW) is providing comments on the Initial Study/Mitigated Negative Declaration (IS/MND) for the Brewer Road Bridge Replacement Project (project) as both a trustee agency and responsible agency under the California Environmental Quality Act (CEQA). As trustee for the State's fish and wildlife resources, the CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species. The CDFW may also be a responsible agency for a project affecting biological resources where we will exercise our discretion after the lead agency to approve or carry out a proposed project or some facet thereof.

Sutter County Public Works (County) is proposing to rehabilitate the existing Brewer Road Bridge over Coon Creek. The Brewer Road Bridge is located just south of the intersection of Brewer Road and Hicks Road and is approximately five miles east of State Route 99 in Sutter County. The existing bridge is comprised of three 10-foot corrugated metal pipes covered with engineered fill and asphalt paving for the roadway. In December of 2012, the County was notified that the bridge was failing due to the complete collapse of one of the metal pipes and partial collapse of a second. The County closed public access to this bridge in December 2012 and began preliminary engineering and environmental documentation for a rehabilitation of the bridge. The project is located within the *Sheridan, California* United States Geologic Survey (USGS) 7.5-minute quadrangle. The following documents were reviewed:

- Initial Study/Mitigated Negative Declaration for the Brewer Road Bridge Replacement Project (Sutter County Public Works, January 2014);
- Biological Assessment for Central Valley Steelhead (*Oncorhynchus mykiss*) and Pacific Salmon Essential Fish Habitat for the Brewer Road Bridge Replacement Project (Dokken Engineering, December 2013); and
- Biological Assessment for Giant Garter Snake (*Thamnophis gigas*) for the Brewer Road Bridge Replacement Project (Dokken Engineering, December 2013).

CDFW staff, Kursten Sheridan and Angela Calderaro, conducted a site visit on January 9, 2014, and surveyed the project area. Based on observations in the field and review

of the documents listed above, the CDFW recommends that the IS/MND include discussion and evaluation of the specific comments provided below.

Project Description

The project description in the IS/MND does not provide sufficient detail to evaluate the impacts of the proposed project. In a telephone conversation between Neil Hay and Angela Calderaro on January 16, 2014, it was stated that the County was not sure on the final design of the bridge including whether rip-rap or a headwall will be placed. In addition, it was unclear whether vegetation will be removed as part of the project. The Biological Assessment for Giant Garter Snake includes a greater permanent impact than what is identified in the IS/MND. On Figure 3, Project Features, the Biological Assessment identifies "replacement rock slope boundaries." On page 2 of the Biological Assessment, "Rock slope protection is proposed to be added on both sides of the rehabilitated bridge to minimize the potential for scour and future failure of the replacement culverts." This project area in the Biological Assessment is different than the project area identified in the IS/MND. In addition in the IS/MND, the "project area" on Figure 3, Biological Study Impacts, is a different "project area" than Figure 4, Impacts to Giant Garter Snake Habitat. A

CDFW strongly encourages the County to reconsider the project design. Per the telephone conversation on January 16, 2014 and a conversation with Ms. Danelle Stylos on January 22, 2014, the water in Coon Creek regularly overtops the bridge and the area is flooded about once a year. The flooding results in regular bridge/road closures. Given the sensitivity of the area as critical habitat for Central Valley steelhead and Pacific Salmon Essential Fish Habitat, CDFW is concerned that the restricted capacity for water flow at this bridge does not allow proper fish passage. A simple replacement of the existing structure will not alleviate the larger issue of flooding and we would expect to see reoccurrence of flooding, overtopping, and failure of culverts. CDFW requests review of the engineer-certified design plans for this bridge prior to project approval. B

Giant Garter Snake

The IS/MND states that the giant garter snake (GGS), which is federally listed and State-listed under the California Endangered Species Act (CESA), has potential to occur within the project site and may be affected by the project. Failure to identify adequate mitigation for this potential project impact prior to project approval could result in a significant, avoidable, and unmitigated impact to a State-listed species. The Biological Assessment and IS/MND show impacts to GGS inconsistently. In the Biological Assessment, Figure 4 shows several locations in the project area that is not Giant Garter snake or "non-GGS Habitat", even though it is within 200 feet of the waterway (see United States Fish and Wildlife Services (*USFWS) Programmatic Guidelines 1997*). In the IS/MND, Figure 4 shows *all* upland areas in the project area as a temporary impact to GGS upland habitat. On page 15, the IS/MND states that the project will result in temporary disturbance of 0.07 acre of upland habitat and 0.07 acre of aquatic habitat. On page 30, the Biological Assessment states that the project will C

have direct temporary effects to approximately 0.16 acre of upland GGS habitat and 0.16 acre of GGS aquatic habitat. As a responsible agency under CEQA, CDFW must be able to evaluate the full extent of the impacts to a state-listed species. If the project could result in the take of any species protected pursuant to CESA, an incidental take permit issued by the CDFW should be obtained before the take can occur. C

Western Yellow-Billed Cuckoo

The IS/MND states that western yellow-billed cuckoo (*Coccyzus americanus*), a State-endangered species under CESA, has the potential to occur on or adjacent to the project site (Page 14). From the project description and a telephone discussion between Angela Calderaro and Neil Hay on January 16, 2014, it is unclear whether riparian vegetation will be removed during construction activities. In addition, western yellow-billed cuckoo may nest in the vicinity of the project site and be negatively impacted during construction activities, if construction occurs during the nesting season. Western yellow-billed cuckoo is elusive and may not be found unless protocol-level surveys are conducted. Mitigation Measure BIO-1 states that surveys for nests will be conducted by a qualified biologist, but does not state if protocol-level surveys will be conducted or what will be done if nesting cuckoo is found. Although mitigation measure BIO-2 addresses potential impacts to swallow nests, it does not identify the avoidance or mitigation measures if other bird species' nests are found. The CDFW recommends that protocol-level surveys are conducted as outlined in the *Yellow-Billed Cuckoo (Coccyzus americanus): A Technical Conservation Assessment* (Wiggins 2005) which recommends four separate surveys during the nesting season with the use of recorded playback devices. If the project could result in the take of any species protected pursuant to CESA, an incidental take permit issued by the CDFW should be obtained before the take can occur. D

Nesting Migratory Birds and Raptors

The project includes ground disturbance and removal of vegetation, all of which have the potential to disturb nests protected under Fish and Game Code (FGC) §3503.5. Raptors and other migratory birds are protected under the Migratory Bird Treaty Act and FGC §3503 and 3503.5. Although the IS/MND includes Mitigation Measure BIO-1 and BIO-2, these measures do not contain the necessary detail to avoid or minimize impacts if nests are found within or adjacent to construction activities during the pre-construction nest survey. CDFW recommends modifying Mitigation Measure BIO-1 to include the following avoidance and minimization measures. To avoid impacts to nesting birds, construction activities should be conducted after September 1st. The preferred construction window is between September 1st and October 15th. E

If the nesting season cannot be avoided and ground disturbance or vegetation removal is proposed, a survey for nests should be conducted by a qualified biologist to avoid nest removal/disturbance no more than 15 days prior to the onset of ground disturbance or vegetation removal. If at any time during the project implementation should construction halt for more than 15 days, an additional survey for active raptor nests should be conducted. If nests are found, the CDFW recommends maintaining an

exclusionary buffer, with no ingress of personnel or equipment until the chicks have fledged, to avoid impacts to active bird nests. The exclusionary buffer should be performance-based as it may need to be adjusted based on the birds' tolerance level to the disturbance. Below is an example of a performance-based protection measure:

Should construction activities cause the nesting migratory bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the exclusionary buffer will be increased so that activities are far enough from the nest to stop this agitated behavior by the bird. The exclusionary buffer should remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. E

Fish Species

The Biological Assessment for Central Valley Steelhead and Pacific Salmon Essential Fish Habitat for this project identified the potential to adversely impact steelhead, green sturgeon and spring-run Chinook salmon. Late/Fall-run chinook salmon have been identified as a California Species of Concern (CDFW 1995). Coon Creek is known to provide opportunistic/intermittent spawning, holding, and rearing habitat for fall-run chinook (NMFS 2012). On page 10, Table 1 of Biological Assessment states that Central Valley Steelhead is "presumed absent" even though the project is located within Critical Habitat for steelhead; this should be corrected. In the IS/MND, Mitigation Measure BIO-9 states that a Fish Salvage Plan will be prepared; a fish salvage plan would require CDFW approval. In addition, the collection and transfer of fish requires a Scientific Collecting Permit from the State per FGC Section 1002 and Title 14 Sections 650 and 670.7. F

Lake or Streambed Alteration

The project is described as replacing a crossing over Coon Creek and may impact the associated riparian habitat. As such, the project is subject to the notification requirement in FGC Section 1602. Notification of Lake or Streambed Alteration was received on January 21, 2014. As a responsible agency under CEQA, the CDFW must rely on the CEQA analysis for the project conducted by the lead agency when exercising discretion to approve or carry out some facet of a proposed project, such as the issuance of a Lake or Streambed Alteration Agreement.

For question *b* in the IS/MND, the applicant states that impacts to riparian habitat will be mitigated through Mitigation Measure BIO-30, which states that prior to the start of construction, the County will obtain necessary permits. Mitigation Measure BIO-30 defers the analysis of impacts to the stream system and its associated riparian habitat to the environmental permitting of the project and fails to disclose the measures to be carried out onsite that will avoid, minimize and/or mitigate for those impacts. These measures may include, but are not limited to, the following: G

1. Protection and maintenance of the riparian, wetland, stream or lake systems to ensure a "no-net-loss" of habitat value and acreage. Vegetation removal should not exceed the minimum necessary to complete operations;

2. Provisions for the protection of fish and wildlife resources at risk that consider various life stages, maintain migration and dispersal corridors, and protect essential breeding (i.e. spawning, nesting) habitats;
3. Delineation of buffers along streams and wetlands to provide adequate protection to the aquatic resource. No grading or construction activities should be allowed within these buffers;
4. Placement of construction materials, spoils or fill, so that they cannot be washed into a stream or lake;
5. Prevention of downstream sedimentation and pollution. Provisions may include but not be limited to oil/grit separators, detention ponds, buffering filter strips, silt barriers, etc., to prevent downstream sedimentation and pollution; and
6. Restoration plans must include quantifiable performance standards and pertinent information such as the types of vegetation to be planted, the timing of implementation and contingency plans if the replanting is not successful. Restoration of disturbed areas should utilize native vegetation. Restoration plans would need approval by CDFW.

G

The use of products with plastic monofilament or cross joints in the netting that are bound/stitched (such as found in straw wattles/fiber rolls and some erosion control blankets) which may cause entrapment of wildlife, should not be used for erosion control. Any non-biodegradable materials used for erosion control, such as silt fencing, should be removed upon project completion.

H

California Endangered Species Act

The CDFW has regulatory authority pursuant to California Endangered Species Act (CESA) over projects that will result in the take[1] of any species of wildlife designated by the California Fish and Game Commission as an endangered, threatened, or candidate species. Take of species protected pursuant to CESA is prohibited (FGC § 2080). However, the CDFW, may authorize the take of these species by permit if the conditions set forth in FGC Section 2081, subdivisions (b) and (c) are met. (See also Cal. Code Regs., title 14, § 783.4). If the project could result in the take of any species protected pursuant to CESA, an incidental take permit issued by the CDFW should be obtained before the take can occur. If the CDFW will issue an incidental take permit, the CDFW must rely on the IS/MND to prepare and issue its own findings regarding the project (CEQA Guidelines §§15096 and 15381). The CDFW can only use the IS/MND if it adequately addresses the effects of those project activities which the CDFW is required by law to carry out or approve.

I

The IS/MND should contain a comprehensive discussion of all state-listed species with a potential to be impacted by the project, acreage of habitat affected or potentially affected, avoidance and minimization measures that will be implemented, and a detailed description of the mitigation measures that will be performed to reduce impacts to a

[1] Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

level of less than significant. Any activity resulting in loss of habitat, decreased reproductive success, or other negative effects on population levels of species protected pursuant to CESA should be addressed.

Summary

In summary, the CDFW finds that the IS/MND fails to adequately assess the impacts to biological resources from the project and fails to provide adequate avoidance, minimization and mitigation measures to reduce the significant impacts to a less-than-significant level. Impact determinations and formulation of mitigation measures must occur prior to project approval.

Thank you for considering our concerns with the adequacy of the IS/MND. The CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. If you have questions please contact Angela Calderaro, Senior Environmental Scientist (Specialist), by e-mail at Angela.Calderaro@wildlife.ca.gov or by phone at (916) 358-2920.

Sincerely,

Tina Bartlett
Regional Manager

Response 1.

Response A: The IS/MND presented the Project at 50% design (the 50% design included replacing the existing, and collapsed, metal pipes with new pipes of a similar size and capacity, and restoring the rock slope protection on both sides of the roadway to minimize the potential for scour). Since the circulation of the Draft IS/MND, the Project design has been refined. The Project Description now presents the option of either a headwall or rock slope protection on both sides of the roadway to minimize the potential for scour. This minor change in the project does not result in the type or magnitude of impacts presented in the IS/MND.

See Response G for addition information on riparian habitat loss. Another addition to the Project Description has been provided with a brief estimate of the extent of vegetation removal necessary for construction activities.

There are some minor discrepancies between figures provided in the Draft IS/MND and the Biological Assessments. The IS/MND was completed in mid-December in preparation for a public circulation start date of January 3, 2014, while the Biological Assessments was completed in early January of 2014. As mentioned above, the Project design advanced during that period allowing for the siting of the locations of Environmentally Sensitive Area fencing on the Project plans. This resulted in minor expansion of the

project area. This minor expansion did not result increase the magnitude of impacts nor create new impacts presented in the IS/MND.

The figures provided in the Final IS/MND have been updated reflect the minor expansion of the Project area. These updated figures also are consistent with the information provided in the Biological Assessments prepared for the project.

Response B: Early in the planning process, several alternative approaches to the crossing were considered to remedy the current collapsed pipe and road closure. These alternatives included a new bridge structure which would clear span Coon Creek. However, this option was determined to not be feasible for the following reasons:

- Coon Creek regularly floods (usually at least once a year). A hydraulic analysis determined that the Brewer Road crossing, as well as the roadway approaches within several hundred feet of the crossing, are flooded during these annual flood events. Construction of a bridge that would provide clearance above the 100-year flood would require a substantial elevation increase from the existing grade of the road. Increasing the size of the approaches on both sides of the crossing would substantially increase the magnitude of temporary and permanent ground disturbance and associated biological impacts. This additional construction area would greatly increase the project's impacts to riparian vegetation and giant garter snake habitat.
- A new clear span structure would result in a substantially extended project schedule. Increases to the schedule would result from a longer environmental documentation phase, longer design phase, and longer construction (which will also be affected by environmental seasonality constraints). Sutter County does not have the funding for a more costly structure. Obtaining federal transportation funds or local funds (if feasible) could add 2-5 years to the project timeline. During these potentially long delays, the crossing would remain unusable to local farmers that depend on the crossing for access during harvest. Perhaps more importantly, however, is that the collapsed pipes in their current condition restrict wildlife and fisheries passage up and down stream.

The County, therefore, has decided to move forward with the proposed project described in the Draft IS/MND (as modified through these RTC). This project design can be built on an accelerated schedule and at reasonable costs which will allow for reopening Brewer Road and a substantial improvement to wildlife passage in Coon Creek. Sutter County has submitted an Encroachment Permit Application (1/22/14) to the Central Valley Flood Protection Board to ensure the project is in compliance with State floodway standards and requirements. Final design plans will be provided to CDFW for their review prior to the start of construction (as a component of the DFG Code 1603.

Response C: As discussed in Response A, there were some inconsistencies between the Draft IS/MND and the Giant garter snake (GGS) Biological Assessment due to the timing of preparation of those documents. The Final IS/MND has been updated to more clearly identify potential impacts but significance findings have not changed.

The Biological Assessment shows several locations in the project area that are not GGS habitat, even though they are located within 200 feet of the waterway. The 1997 US Fish and Wildlife Service Programmatic Biological Opinion to the US Army Corps of Engineers (USFWS 1997) identifies GGS habitat as:

> "…marshes, sloughs, ponds, small lakes, low gradient streams, other waterways and agricultural wetlands such as irrigation and drainage canals and rice fields, and the adjacent uplands. Essential habitat components consist of (1) adequate water during the snake's active period (i.e., early spring through mid-fall) to provide a prey base and cover; (2) emergent, herbaceous wetland vegetation, such as cattails and bulrushes, for escape cover and foraging habitat; (3) upland habitat for basking, cover, and retreat sites; and (4) higher elevation uplands for cover and refuge from flood waters. For the purposes of this programmatic opinion, a basic giant garter snake habitat unit will incorporate 2.00 acres (0.81 hectares) of surrounding upland for every 1.00 acre (0.40 hectare) of aquatic habitat. The 2.00 acres (0.81 hectares) of upland also may be defined as 218 linear feet (66 meters) of bankside habitat which incorporates adjacent uplands to a width of 200 feet (61 meters) from the edge of the bank."

Non-GGS habitat within 200-feet of the potential GGS aquatic habitat includes the paved roadways and all riparian habitats in the Project Area. As stated in the 1997 Programmatic Biological Opinion, "riparian woodlands do not provide suitable habitat [for GGS] because of excessive shade, lack of basking sites, and absence of prey populations (Hansen 1980).

All acreages for impacts were identified correctly in the GGS Biological Assessment and the Final IS/MND has been updated to be consistent, both in the text and in figures. Furthermore, the mitigation measures in the Final IS/MND have been updated to be consistent with the conservation measures presented in the Biological Assessment. Section 7 Consultation with USFWS is currently underway as is coordination with CDFW for a DFG Section 1603 Streambed Alteration Agreement. If consultation with USFWS, NMFS and/or CDFW determines that the project could result in take of any species protected pursuant to FESA or CESA, the County will work the respective agencies to acquire the appropriate authorizations.

Response D: The western yellow-billed cuckoo is federally proposed threatened and State endangered listed species. Yellow-billed cuckoo nest in large blocks of riparian habitats (approximately 5 acres or more) particularly riparian woodlands with cottonwoods and willows. Suitable riparian habitat consists of multi-layered riparian vegetation with riparian canopy trees and at least one layer of understory (*The Status of Rare, Threatened, and Endangered Animals and Plants in California, Western Yellow-Billed Cuckoo, CDFW, 2000*). The Brewer Road Bridge Project does contain disturbed riparian habitat; however, the project site does not contain suitable breeding habitat for Western yellow-billed cuckoo. The project will impact approximately 0.15 acre of riparian habitat but this habitat is heavily disturbed, lacking a consistent layer of understory, and is not large enough for the breeding requirements of the species.

Dokken Engineering has researched the CNDDB database for nearby occurrences. The nearest documentations were greater than 7 miles west of the project site along the Feather River dating back to

1977 and 1987 (see Figure 1 below). No current occurrences of the species have been documented within a 10 mile radius of the project site. Additionally, a large population of predatory species, including a variety of raptors, has been documented regularly in the area. For all of these reasons, Dokken Engineering biologists have determined that the project site does not contain suitable breeding habitat for Western yellow-billed cuckoo and that the project will have no impact on the species. Protocol level surveys would not be warranted. The section of the IS/MND that discusses Western yellow-billed cuckoo has been updated to include this more thorough analysis of the lack of suitable nesting habitat for this species and the rational for why the project is expected to have no impact on the species.

FIGURE 1
Western Yellow-Billed Cuckoo Locations
Brewer Road Bridge over Coon Creek Replacement Project
Sutter County, California

To further minimize the potential for impacts to nesting birds, implementation of mitigation measure BIO-1 (See Page 21 in the Draft the IS/MND) will ensure that nesting birds will not be disturbed. BIO-1 is modified to provide additional detail of how the mitigation measure will be implemented. BIO-31 and BIO-32 have been added to provide additional avoidance of impacts to nesting birds occur during project construction. These new mitigation measures will ensure that workers are provided preconstruction training on the identification of nesting State- listed species that have the potential to occur and requires construction crews to stop work and consult with CDFW if any such species is observed in the project area during construction.

Response E: See Response D.

Response F: The typographical errors in the Fish Biological Assessment will be corrected to ensure consistency. Mitigation measures BIO-9 and BIO-10, which required the preparation and implementation of a fish salvage plan for this project have been removed and substituted with a more strenuous avoidance plan that exclude fish from the construction zone. The new mitigation measures are consistent with measures in the Biological Assessment prepared for the project. The following mitigation measures which have been added to the Final IS/MND as replacement of measures BIO-9 and BIO-10.

> BIO-9: Prior to the start of construction activities within Coon Creek, a qualified biologist shall direct the use of weighted fish nets, or a similar barrier to ensure fish are not located within the construction zone during construction of the temporary diversion. Once the diversion has been installed, the nets or other barriers will be removed to allow fish passage through the remaining open pipe.
>
> BIO-10: This process described in BIO-9 above will be repeated under the supervision of a qualified biologist for all parts of construction where earth movement or other construction activities could impact fish in the construction area.

Section 7 Consultation with the National Marine Fisheries Service is ongoing.

Response G: The discussion of impacts to the riparian corridor has been expanded in the Final IS/MND. The Draft IS/MND contains Mitigation Measure BIO-3, which requires ESA fencing to protect the riparian corridor, and Mitigation Measure BIO-16, which requires preparing and implementation of a revegetation plan. Measures BIO-12 and BIO-21 will minimize impacts to water quality through the use of BMPs by minimizing downstream sedimentation and pollution. These measures would ensure that potential impacts to the riparian corridor are reduced to a less than significant level. Additional BMPs may develop through the County's permitting processes with CDFW, USACE, RWQCB, and the CVFPB.

Response H: Use of products with plastic monofilament or cross joints in the netting that are bound stitched may cause entrapment of wildlife and will not be used during construction. All non-biodegradable materials used for erosion control, such as silt fencing, will be removed upon project completion. Mitigation Measure BIO-33 has been added to ensure these requirements are part of the final Mitigation Monitoring Plan.

Response I: The Final IS/MND has been revised to provide a more comprehensive discussion of potential impacts to each species, acreage of habitat affected, and clarification of mitigation measures. These changes in the Draft IS/MND do not invalidate the conclusions of the Draft IS/MND but provide additional detail to the original documentation. Impacts to federally and State-listed species have been addressed.

Comment 2.
Central Valley Flood Protection Board (received via mail from State Clearinghouse, 02/06/14)

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY EDMUND G. BROWN JR., GOVERNOR

CENTRAL VALLEY FLOOD PROTECTION BOARD
3310 El Camino Ave., Rm. 151
SACRAMENTO, CA 95821
(916) 574-0609 FAX: (916) 574-0682
PERMITS: (916) 574-2380 FAX: (916) 574-0682

RECEIVED
FEB 04 2014
STATE CLEARING HOUSE

January 31, 2014

Mr. Neal Hay
Sutter County
1130 Civic Center Boulevard
Yuba City, California 95993

Subject: Brewer Road Bridge Replacement Project
SCH Number: 2014012010
Document Type: Mitigated Negative Declaration

Dear Mr. Hay:

Staff of the Central Valley Flood Protection Board (Board) has reviewed the subject document and provides the following comments:

The proposed project is located adjacent to or within Coon Creek which is under the jurisdiction of the Central Valley Flood Protection Board. The Board is required to enforce standards for the construction, maintenance, and protection of adopted flood control plans that will protect public lands from floods. The jurisdiction of the Board includes the Central Valley, including all tributaries and distributaries of the Sacramento River, the San Joaquin River, and designated floodways (Title 23 California Code of Regulations (CCR), Section 2).

A Board permit is required prior to starting the work within the Board's jurisdiction for the following:

- The placement, construction, reconstruction, removal, or abandonment of any landscaping, culvert, bridge, conduit, fence, projection, fill, embankment, building, structure, obstruction, encroachment, excavation, the planting, or removal of vegetation, and any repair or maintenance that involves cutting into the levee (CCR Section 6);
- Existing structures that predate permitting, or where it is necessary to establish the conditions normally imposed by permitting. The circumstances include those where responsibility for the encroachment has not been clearly established or ownership and use have been revised (CCR Section 6);
- Vegetation plantings will require the submission of detailed design drawings; identification of vegetation type; plant and tree names (i.e. common name and scientific name); total number of each type of plant and tree; planting spacing and irrigation method that will be utilized within the project area; a complete vegetative management plan for maintenance to prevent the interference with flood control, levee maintenance, inspection, and flood fight procedures (CCR Section 131).

Response 2.

Thank you for your comments; they have been included in the final environmental document. Sutter County has already submitted an Encroachment Permit to the CVFPB and will continue to coordinate with the Board to ensure all requirements are adequately addressed.

Comment 3.
Central Valley Regional Water Quality Control Board (received via State Clearinghouse mail, 02/06/14)

clear 2/4/14 e

Central Valley Regional Water Quality Control Board

31 January 2014

RECEIVED
FEB 03 2014
STATE CLEARING HOUSE

Neal Hay
Sutter County
1130 Civic Center Boulevard
Yuba City, CA 95993

CERTIFIED MAIL
7013 1710 0002 3644 0625

COMMENTS TO REQUEST FOR REVIEW FOR THE MITIGATED NEGATIVE DECLARATION, BREWER ROAD BRIDGE REPLACEMENT PROJECT, SCH NO. 2014012010, SUTTER COUNTY

Pursuant to the State Clearinghouse's 6 January 2014 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Mitigated Negative Declaration* for the Brewer Road Bridge Replacement Project, located in Sutter County.

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

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction Activities (Construction General Permit), Construction General Permit Order No. 2009-009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml.

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/.

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 97-03-DWQ.

For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml.

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACOE). If a Section 404 permit is required by the USACOE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements.

If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACOE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACOE permit, or any other federal permit, 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.

Waste Discharge Requirements

If USACOE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project will 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 Water Quality Certification and WDR processes, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/help/business_help/permit2.shtml.

Low or Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Dewatering and Other Low Threat Discharges to Surface Waters* (Low Threat General Order) or the General Order for *Limited Threat Discharges of Treated/Untreated Groundwater from Cleanup Sites, Wastewater from Superchlorination Projects, and Other Limited Threat Wastewaters to Surface Water* (Limited Threat General Order). A complete application must be submitted to the Central Valley Water Board to obtain coverage under these General NPDES permits.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0074.pdf

For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2013-0073.pdf

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

Trevor Cleak
Environmental Scientist

Response 3.

Thank you for your comments; they have been included in the final environmental document.

Current planning for this project will include compliance with Section 404 and 401 of the Clean Water Act, as well as preparing a Storm Water Pollution Prevention Plan and General Construction Permit prior to the start of construction. Sutter County will coordinate with the Army Corps of Engineers and Regional Water Quality Control Board to ensure all water quality regulatory obligations are met during construction.

Comment 4.
State Clearinghouse (received via mail, 02/06/14)

Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Ken Alex
Director

February 5, 2014

RECEIVED
FEB -6 2014
DEVELOPMENT SERVICES

Neal Hay
Sutter County
1130 Civic Center Boulevard
Yuba City, CA 95993

Subject: Brewer Road Bridge Replacement Project
SCH#: 2014012010

Dear Neal Hay:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on February 4, 2014, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Response 4.

Thank you for your comments; they have been included in the final environmental document.

Notice of Determination

TO:
☐ Office of Planning and Research
For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

☒ County Clerk:
Sutter County Clerk-Recorder
433 Second Street
Yuba City, CA 95991

FROM:
Sutter County
1130 Civic Center Blvd. Suite A
Yuba City, CA 95993
Contact: Neal Hay
Phone: (530) 822-4402

Local Agency (if different from above):

FILED
JUN 16 2014
BOARD OF SUPERVISORS
DONNA M. JOHNSTON
Clerk of the Board
By Lisa Bus Deputy

SUBJECT: ***Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.***

State Clearinghouse Number: 2014012010

Project Title: Brewer Road Bridge Replacement Project

Project Location: Unincorporated Sutter County, just south of the intersection of Brewer Road and Hicks Road.

Project Description: Sutter County proposes to replace/rehabilitate the Brewer Road Bridge where is crosses Coon Creek in Sutter County, California. The existing crossing has failed and required a closure of Brewer Road at this location for public safety.

This is to advise that Sutter County, has approved the above described project on June 10, 2014 and has made the following determinations regarding the above described project:

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☒ were ☐ were not] made pursuant to the provisions of CEQA.

This is to certify that the final Mitigated Negative Declaration with comments and responses and record of project approval, is available to the General Public at: Sutter County Development Services Department, 1130 Civic Center Boulevard, Suite A, Yuba City, CA 95993.

Signature: _____ Title: Principal Planner

Date: 6/13/14 Date Received for filing at OPR: _____

Authority cited: Section 21083, Public Resources Code.
Reference: Sections 21000-21174, Public Resources Code.

State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

2014 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT# 51-2014- 028

STATE CLEARING HOUSE # *(If applicable)* 2014012010

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY			DATE
Sutter County			06/16/2014
COUNTY/STATE AGENCY OF FILING			DOCUMENT NUMBER
Sutter			
PROJECT TITLE			
Brewer Road Bridge Replacement Project			
PROJECT APPLICANT NAME			PHONE NUMBER
(same as lead)			(530) 822-4402
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE
1130 Civic Center Blvd., Ste. A	Yuba City	CA	95993

PROJECT APPLICANT *(Check appropriate box):*

☒ Local Public Agency ☐ School District ☐ Other Special District ☐ State Agency ☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)	$3,029.75	$	0.00
☒ Mitigated/Negative Declaration (MND)(ND)	$2,181.25	$	2,181.25
☐ Application Fee Water Diversion *(State Water Resources Control Board only)*	$850.00	$	0.00
☐ Projects Subject to Certified Regulatory Programs (CRP)	$1,030.25	$	0.00
☐ County Administrative Fee	$50.00	$	0.00
☐ Project that is exempt from fees			
☐ Notice of Exemption (attach)			
☐ CDFW No Effect Determination (attach)			
☐ Other _____		$	

PAYMENT METHOD:

☐ Cash ☐ Credit ☐ Check ☒ Other Journal Entry TOTAL RECEIVED $ 2,181.25

SIGNATURE	PRINTED NAME AND TITLE
X Lisa Bush	Lisa Bush, Deputy Clerk of the Board

ORIGINAL - PROJECT APPLICANT COPY - CDFW/ASB COPY - LEAD AGENCY COPY - COUNTY CLERK FG 753.5a (Rev. 12/13)