CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM (rev. 06/2022)

Project Information

Project Name (if applicable): Waterman Gap Fish Passage

DIST-CO-RTE: 05-SCR-9 **PM/PM:** 19.2/19.2

EA: 1K901 **Federal-Aid Project Number:** N/A

Project Description

This project is in Santa Cruz County on State Route (SR) 9, 0.1 miles south of Saratoga Toll Road at the San Lorenzo River Post Mile (PM) 19.2. The project proposes to replace a poor condition culvert with a free span bridge to remove the fish passage barrier at Waterman Gap in Castle Rock State Park. The scope of work includes replacing a 12-foot corrugated steel pipe (CSP) culvert with a 62 ft. – 5-inch free span bridge.

Caltrans CEQA Determination (Check one)

☐ **Not Applicable** – Caltrans is not the CEQA Lead Agency

☐ **Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

Based on an examination of this proposal and supporting information, the project is:

☐ **Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)

☒ **Categorically Exempt. Class 33. Small Habitat Restoration Projects**. (PRC 21084; 14 CCR 15300 et seq.)

☐ No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the SER Chapter 34 for exceptions.

☐ **Covered by the Common Sense Exemption**. This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

Senior Environmental Planner or Environmental Branch Chief

Dianna Beck	Dianna Beck	5/24/2024
Print Name	Signature	Date

Project Manager

Douglas Hessing	Doug Hessing	05/24/2024
Print Name	Signature	Date

Caltrans NEPA Determination (Check one)

☐ **Not Applicable**

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

☒ **23 USC 326:** Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- ☐ **23 CFR 771.117(c): activity (c)(Enter activity number)**
- ☐ **23 CFR 771.117(d): activity (d)(Enter activity number)**
- ☒ **Activity 3 listed in Appendix A of the MOU between FHWA and Caltrans**

☐ **23 USC 327:** Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Dianna Beck	Dianna Beck	5/24/2024
Print Name	Signature	Date

Project Manager/ DLA Engineer

Douglas Hessing	Doug Hessing	05/24/2024
Print Name	Signature	Date

Date of Categorical Exclusion Checklist completion (if applicable): 5/24/24
Date of Environmental Commitment Record or equivalent: 5/24/24

Briefly list environmental commitments on continuation sheet if needed (i.e., not necessary if included on an attached ECR). Reference additional information, as appropriate (e.g., additional studies and design conditions).

Continuation sheet:

The following measures would help to reduce the environmental impacts of this project:

Visual

- Preserve as much existing vegetation as possible. Prescriptive clearing and grubbing and grading techniques which save the most existing vegetation possible should be employed.
- Replant removed vegetation to the maximum extent feasible while balancing habitat restoration goals and improving scenic views of the river. Replacement planting shall include aesthetic considerations as well as the inherent biological goals. Revegetation shall include native trees and plants as determined by the Caltrans Biologist and Caltrans District 5 Landscape Architecture
- All metal roadside elements including but not limited to bridge rail, guardrail, transitions, end treatments, and cable safety railing should be stained or darkened to be visually compatible with the setting. The color shall be determined and approved by District 5 Landscape Architecture
- If feasible, guardrail termination shall be buried as an alternative to end treatments.
- Railing and barriers shall be open-style (or see-through style) to preserve views and reduce urban appearance.
- Relocated utilities shall be installed within bridge conduit or undergrounded if feasible.
- All retaining walls shall be aesthetically treated to reduce the urbanizing effect and minimize potential for graffiti. The aesthetic treatment shall be determined and approved by District 5 Landscape Architecture
- Concrete elements seen from the roadway shall be colored or color treated including bridge railing and components, end blocks, drainage facilities, and walls as determined by Caltrans Landscape Architecture
- Limit staging and storage areas to existing paved locations and existing pullouts to the maximum extent feasible
- Following construction, re-grade and re-contour all new construction staging areas, access roads and other temporary uses to match the surrounding pre-project topography.

Air Quality

- To minimize dust emissions from the project, Section 14-9.02 (Air Pollution Control) of the 2022 Standard Specifications states that the contractor is responsible for complying with all local air-pollution-control rules, regulations, ordinances, and statutes that apply to work performed under the Contract, including those provided in Government Code § 11017 (Public Contract Code § 10231). Additionally, the project level Stormwater Pollution Prevention Plan (SWPPP) will address water pollution control measures that cross correlate with standard dust emission minimization measures such as covering soil stockpiles, watering haul roads, watering excavation and grading areas, and so on. By incorporating appropriate engineering design and storm water Best Management Practices during construction, minimal short-term air quality impacts are anticipated.

Noise

- To minimize impacts on resident's normal nighttime sleep activities it is recommended that whenever possible construction work be done during the day. When nighttime construction is necessary, the noisiest construction activities should be done as early in the evening as possible. Caltrans Standard Specifications (Section 14-8.02) requires the contractor to control and monitor noise resulting from work activities and not to exceed 86 dBA Lmax at 50 feet from the job site from 9:00 p.m. to 6:00 a.m.

The following general measures would also be included in the RE binder and implemented as appropriate to further minimize temporary construction-noise impacts.

- Notify the public in advance of the construction schedule when construction noise and upcoming construction activities likely to produce an adverse noise environment are expected. This notice shall be given two weeks in advance. Notice should be published in local news media of the dates and duration of proposed construction activity. The District 5 Public Information Office posts notice of the proposed construction and potential community impacts after receiving notice from the Resident Engineer.
- Shield loud pieces of stationary construction equipment if complaints are received.
- Locate portable generators, air compressors, etc. away from sensitive noise receptors as feasible.
- Limit grouping major pieces of equipment operating in one area to the greatest extent feasible.
- Use newer equipment that is quieter and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine covers, and engine vibration isolators intact and operational. Internal combustion engines used for any purpose on or related to the job shall be equipped with a muffler or baffle of a type recommended by the manufacturer.
- Consult District noise staff if complaints are received during the construction process.

Hazardous Waste

- The appropriate SSPs for removal of traffic stripe and pavement markings, if required, will be determined during the project design phase once the removal method is known but will include 84-9.03B for separate removal of the nonhazardous paint/stripe, and/or SSP 36-4 for cold planning or grinding.

Water Quality

- Minimize active Disturbed Soil Areas (DSA's) during the rainy season utilizing scheduling techniques.
- Preserve existing vegetation to the maximum extent feasible.
- Implement temporary protective cover/erosion control on all non-active DSA's and soil stockpiles.
- Control erosive forces of storm water runoff with effective storm flow management such as temporary concentrated flow conveyance devices, earthen dikes, drainage swales, lined ditches, outlet protection/velocity dissipation devices, and slope drains as determined feasible.
- Implement linear sediment controls such as fiber rolls, check dams, or gravel bag berms on all active and non-active DSA's during the rainy season.
- To further help prevent sediment discharge stabilized construction site entrances, temporary drainage inlet protection, and street sweeping, and vacuuming will be necessary.
- Implement appropriate wind erosion controls year-round.
- Water conservation practices are implemented on all construction sites and wherever water is used.
- Paving and grinding procedures are implemented where paving, surfacing, resurfacing, grinding, or saw cutting may pollute storm water runoff or discharge to the storm drain system or watercourses.
- Procedures and practices designed for construction contractors to recognize illicit connections or illegally dumped or discharged materials on a construction site and report incidents to the Resident Engineer.
- The following activities must be performed at least 100 feet from concentrated flows of storm water, drainage courses, and inlets if within the floodplain and at least 50 feet if outside of the floodplain; stockpiling materials, storing equipment and liquid waste

containers, washing vehicles or equipment, fueling, and maintaining vehicles and equipment.
- Concrete curing will be used in the construction of structures such as the drainage system. Concrete curing includes the use of both chemical and water methods. Proper procedures will minimize pollution of runoff during concrete curing.
- Since the project involves structure demolition/removal of bridge rails or the entire bridge over several creeks, proper procedures will be implemented to minimize pollution during these activities.

Biology

Redwood Forest

- ESA fencing will be installed along the maximum disturbance limits, as appropriate, to minimize disturbance to habitats/vegetation. Special Provisions for the installation of ESA fencing will be included in the Construction Contract and will be identified on the project plans. Prior to the start of construction activities, ESA areas will be delineated in the field and will be approved by the Caltrans environmental division.
- Disturbance limits will be minimized to the greatest extent feasible to minimize any potential impacts to these species.
- To the extent feasible, redwood forest will be restored at a ratio of 1:1. It is anticipated that restoration efforts will be onsite and in-kind and consist of the same native species impacted, and other associated native species known to occur in the project limits. Additionally, large woody debris will be incorporated into the stream channel to provide similar in-stream shade and structure.

Jurisdictional Areas

- Prior to construction, Caltrans shall obtain regulatory permits. The project is expected to qualify for streamlined permitting, including Nationwide Permit 14 (restoration from the USACE), Small Habitat Restoration General Order from RWQCB, and the Habitat Restoration and Enhancement Act from CDFW to meet these permit requirements.
- Prior to construction, as required by the required regulatory permits, Caltrans shall prepare a Mitigation and Monitoring (MMP) for impacts to vegetation and natural habitats (including sensitive natural communities). The MMP shall be consistent with federal and state regulatory requirements and will be amended with any regulatory permit conditions, as required. Caltrans shall implement the MMP as necessary during construction and immediately following project completion.
- At a minimum, there shall be no net loss of total aquatic habitat, although there may be habitat transitions (i.e. riparian to stream), and all temporary disturbance shall be restored at a 1:1 ratio. Since instream wetlands vary seasonally and interannually, rather than restoring wetlands, the project will restore natural stream processes that support the seasonal formation of instream herbaceous wetlands.
- Prior to any ground-disturbing activities, ESA fencing shall be installed around jurisdictional waters, sensitive habitats, and the dripline of trees to be protected within project limits, as appropriate. Caltrans-defined ESAs shall be noted on design plans and delineated in the field prior to the start of construction activities.
- Construction of the bridge abutments will occur on land without removing the existing culvert. This will reduce the duration of instream work.
- During construction, all project-related hazardous materials spills within the project site shall be cleaned up immediately. Readily accessible spill prevention and cleanup materials shall be kept by the contractor on-site at all times during construction.
- During construction, erosion control measures shall be implemented. Fiber rolls, and barriers shall be installed as needed between the project site and jurisdictional other

waters, wetlands, and riparian habitat. At a minimum, erosion controls shall be maintained by the contractor on a daily basis throughout the construction period.
- During construction, the cleaning and refueling of equipment and vehicles shall occur only within a designated staging area. This area shall either be a minimum of 100 feet from aquatic areas or if the area is less than 100 feet from aquatic areas the area must be surrounded by barriers (e.g. fiber rolls or equivalent). The staging areas shall conform to Best Management Practices (BMPs) applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles shall be checked and maintained by the contractor on a daily basis to ensure proper operation and avoid potential leaks or spills.
- Prior to construction, a Water Pollution Control Plan or Stormwater Pollution Prevention Plan will be prepared. Provisions of this plan will be implemented during and after construction as necessary to avoid and minimize erosion and storm water pollution in and around project locations.
- Instream work will occur between June 1 and October 31, during a period of seasonally lower water levels. Deviations from this work window will only be made with concurrence from relevant resource agencies.

Central California Coast Steelhead Distinct Population Segment Critical Habitat
- Prior to construction, Caltrans will complete FESA consultation with NMFS.
- To avoid impacts to Critical Habitat, all work will be completed outside of the anticipated migration period of November 1st – May 31st for CCC steelhead through coordination with NMFS.
- All tree and shrub removal will be replaced after construction work is completed to replace riparian habitat as quickly as possible.
- An exclusion plan will be approved by NMFS and implemented before a diversion is installed in the San Lorenzo River.
- Prior to construction, a qualified biologist will conduct a worker environmental training program which will include a description of protected species and habitats, their legal/protected status, proximity to the project site, avoidance/minimization measures to be implemented during the project, and the implications of violating FESA and other relevant permit conditions.
- During construction, instream work will be limited to June 1 and October 31, during the period of seasonally lower water levels. Deviations from this work window will only be made with concurrence from regulatory resource agencies.
- Dewatering will be performed according to Caltrans Construction Site BMPs.
- Prior to construction, the Contractor will prepare and sign a Water Pollution Control Plan or a Storm Water Pollution Prevention Plan that complies with Caltrans Storm Water Quality Handbook. Provisions of this plan will be implemented during and after construction as necessary to avoid and minimize erosion and storm water pollution in and near the work area.
- During construction, all project-related hazardous materials spills within the project site will be cleaned up immediately. Readily accessible spill prevention and cleanup materials will be kept by the contractor on-site at all times during construction.
- During construction, erosion control measures will be implemented. Fiber rolls and barriers will be installed as needed between the project site and jurisdictional waters and riparian habitat.
- During construction, the cleaning and refueling of equipment and vehicles will occur only within a designated staging area. This area will either be a minimum of 100 ft from aquatic areas or if the area is less than 100 ft from aquatic areas the area must be

surrounded by barriers (e.g. fiber rolls or equivalent). The staging areas will conform to Caltrans Construction Site BMPs applicable to attaining zero discharge of storm water runoff.
- Immediately upon completing in-channel work, all in-channel structures will be removed in a manner that minimizes disturbance to downstream flows and water quality.
- All temporary excavations and fills within project limits will be removed in their entirety.
- The planned construction approach (i.e. building bridge abutments while culvert is still in place) will limit the duration in which in-stream disturbance takes place.

Central California Coast Steelhead Distinct Population Segment
- Prior to initiation of stream diversion/dewatering, a qualified biologist will develop a relocation plan and identify suitable habitat where steelhead can be released after capture during diversion/dewatering activities.
- During in-stream work, a Caltrans-approved biologist shall be retained with experience in steelhead biology and ecology, aquatic habitats, biological monitoring (including diversion/dewatering), and capturing, handling, and relocating fish species. Before capture and relocation activities, the Designated Biologist shall identify the most appropriate release location(s) that exhibits suitable refugia habitat and does not exceed potential carrying capacity constraints. Release locations shall provide comparable habitat and shall be selected to minimize the likelihood of steelhead reentering the work area. During instream work, monitor(s) shall capture steelhead in the BSA just prior to dewatering and any remaining stranded immediately after dewatering using methods approved by the appropriate regulatory agencies. Capture and relocation methods include, but not necessarily will be limited to seine-netting, dip-netting, and providing aerated water in buckets for transport and ensuring adequate water temperatures during transport. The biologist shall note the number of steelhead observed in the affected area, the number of steelhead captured and relocated, and the date and time of the collection and relocation.
- During in-stream work, if pumps are incorporated to assist in temporarily dewatering the site, intakes shall be completely screened with no larger than 1/8-inch (2.38 mm) wire mesh to prevent steelhead and other sensitive aquatic species from entering the pump system. Pumps shall release the additional water to a settling basin or tank, allowing the suspended sediment to settle out prior to re-entering the stream(s) outside of the isolated area. The form and function of all pumps used during the dewatering activities shall be checked daily, to ensure a dry work environment and minimize adverse effects to aquatic species and habitats.
- The biological monitor shall monitor erosion and sediment controls to identify and correct any conditions that could adversely affect steelhead or their habitat. The biological monitor shall notify the Resident Engineer to immediately halt work activity as necessary and to recommend measures to avoid/minimize adverse effects to steelhead salmon and their habitat.
- Caltrans shall provide NMFS a written summary of work performed (including biological survey and monitoring results), BMPs implemented (i.e., use of biological monitor, flagging of project areas, erosion and sedimentation controls) and supporting photographs. Furthermore, the documentation describing listed species surveys and relocation efforts (if appropriate) shall include name(s) of the Caltrans-approved biologist(s), location and description of area surveyed, time and date of survey, all survey methods used, a list and tally of all sensitive animal species observed during the survey, a description of the instructions/recommendations given to the applicant during the project, and a detailed discussion of capture and relocation efforts (if appropriate).

Central California Coast Coho Salmon Evolutionarily Significant Unit Designated Critical Habitat

- Prior to construction, Caltrans will complete FESA consultation with NMFS.
- To avoid impacts to Critical Habitat, all work will be completed outside of the anticipated migration period of November 1st – May 31st for CCC coho salmon through coordination with NMFS and CDFW.
- All tree and shrub removal will be replaced after construction work is completed to replace riparian habitat as quickly as possible.
- An exclusion plan will be approved by NMFS and implemented before a diversion is installed in the San Lorenzo River.
- Prior to construction, a qualified biologist will conduct a worker environmental training program which will include a description of protected species and habitats, their legal/protected status, proximity to the project site, avoidance/minimization measures to be implemented during the project, and the implications of violating FESA and other relevant permit conditions.
- During construction, instream work will be limited to June 1 and October 31, during the period of seasonally lower water levels. Deviations from this work window will only be made with concurrence from regulatory resource agencies.
- Dewatering will be performed according to Caltrans Construction Site BMPs.
- Prior to construction, the Contractor will prepare and sign a Water Pollution Control Plan or a Storm Water Pollution Prevention Plan that complies with Caltrans Storm Water Quality Handbook. Provisions of this plan will be implemented during and after construction as necessary to avoid and minimize erosion and storm water pollution in and near the work area.
- During construction, all project-related hazardous materials spills within the project site will be cleaned up immediately. Readily accessible spill prevention and cleanup materials will be kept by the contractor on-site at all times during construction.
- During construction, erosion control measures will be implemented. Fiber rolls, and barriers will be installed as needed between the project site and jurisdictional waters and riparian habitat.
- During construction, the cleaning and refueling of equipment and vehicles will occur only within a designated staging area. This area will either be a minimum of 100 ft from aquatic areas or if the area is less than 100 ft from aquatic areas the area must be surrounded by barriers (e.g. fiber rolls or equivalent). The staging areas will conform to Caltrans Construction Site BMPs applicable to attaining zero discharge of storm water runoff.
- Immediately upon completing in-channel work, all in-channel structures will be removed in a manner that minimizes disturbance to downstream flows and water quality.
- All temporary excavations and fills within project limits will be removed in their entirety.
- The planned construction approach (i.e., building bridge while culvert is still in place) will limit the duration in which in-stream disturbance takes place.

Coho Salmon Essential Fish Habitat

- All temporarily disturbed areas will be revegetated after construction to prevent erosion and may include erosion control seed and tree planting. All and sediment control and retention structures will be checked throughout the rainy season during construction and the plant establishment period.
- Riparian damage will be limited as much as possible Trees and shrubs will be preserved to the maximum extent feasible, trimming rather than clearing and grubbing whenever possible. ESA flagging and fencing will be installed to clearly demarcate the construction boundaries to limit construction to the smallest footprint feasible.

Central California Coast Coho Salmon Evolutionarily Significant Unit

- Prior to construction, Caltrans will acquire incidental take authorization for CCC coho from NMFS through a FESA Section 7 Biological Opinion and Incidental Take Statement, and an Incidental Take Permit from CDFW or, if CDFW determines it to be appropriate, the project may be covered under a Restoration Management Program Permit (RMP).
- During in-stream work, a Caltrans-approved biologist shall be retained with experience in coho biology and ecology, aquatic habitats, biological monitoring (including diversion/dewatering), and capturing, handling, and relocating fish species. Before capture and relocation activities, the Designated Biologist shall identify the most appropriate release location(s) that exhibits suitable refugia habitat and does not exceed potential carrying capacity constraints. Release locations shall provide comparable habitat and shall be selected to minimize the likelihood of coho reentering the work area. During instream work, monitor(s) shall capture coho in the BSA just prior to dewatering and any remaining stranded immediately after dewatering using methods approved by the appropriate regulatory agencies. Capture and relocation methods include, but not necessarily will be limited to seine-netting, dip-netting, and providing aerated water in buckets for transport and ensuring adequate water temperatures during transport. The biologist shall note the number of coho observed in the affected area, the number of coho captured and relocated, and the date and time of the collection and relocation.
- During in-stream work, if pumps are incorporated to assist in temporarily dewatering the site, intakes shall be completely screened with no larger than 1/8-inch (2.38 mm) wire mesh to prevent coho and other sensitive aquatic species from entering the pump system. Pumps shall release the additional water to a settling basin or tank, allowing the suspended sediment to settle out prior to reentering the stream(s) outside of the isolated area. The form and function of all pumps used during the dewatering activities shall be checked daily, to ensure a dry work environment and minimize adverse effects to aquatic species and habitats.
- The biological monitor shall monitor erosion and sediment controls to identify and correct any conditions that could adversely affect coho or their habitat. The biological monitor shall notify the Resident Engineer to immediately halt work activity as necessary and to recommend measures to avoid/minimize adverse effects to coho salmon and their habitat.
- Caltrans shall provide NMFS a written summary of work performed (including biological survey and monitoring results), BMPs implemented (i.e., use of biological monitor, flagging of project areas, erosion and sedimentation controls) and supporting photographs. Furthermore, the documentation describing listed species surveys and relocation efforts (if appropriate) shall include name(s) of the Caltrans-approved biologist(s), location and description of area surveyed, time and date of survey, all survey methods used, a list and tally of all sensitive animal species observed during the survey, a description of the instructions/recommendations given to the applicant during the project, and a detailed discussion of capture and relocation efforts (if appropriate

Invasive Species

- During construction, Caltrans will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible.
- Only clean fill shall be imported. When practicable, invasive exotic plants in the project site shall be removed and properly disposed. All invasive vegetation removed from the construction site shall be taken to a landfill to prevent the spread of invasive species. If soil from weedy areas must be removed off-site, the top six inches containing the seed

layer in areas with weedy species shall be disposed of at a landfill. Inclusion of any species that occurs on the Cal-IPC Invasive Plant Inventory in the Caltrans erosion control seed mix or landscaping plans for the project shall be avoided.
- Construction equipment shall be certified as "weed-free" by Caltrans before entering the construction site. If necessary, wash stations onsite shall be established for construction equipment under the guidance of Caltrans in order to avoid/minimize the spread of invasive plants and/or seed within the construction area.
- As per the USFWS PBO for CRLF, a USFWS-approved biologist shall permanently remove any individuals of exotic species, such as bullfrogs, signal and red swamp crayfish, and centrarchid fishes from the project area to the maximum extent possible.
- This project will include a one year plant establishment period and restoration efforts will include plantings and vegetation management.

Slender Silver Moss, Minute Pocket Moss, and Methuselah's Beard Lichen
- ESA fencing will be installed along the maximum disturbance limits, as appropriate, to minimize disturbance to habitats/vegetation. Special Provisions for the installation of ESA fencing will be included in the Construction Contract and will be identified on the project plans. Prior to the start of construction activities, ESA areas will be delineated in the field and will be approved by the Caltrans environmental division.
- Disturbance limits will be minimized to the greatest extent feasible to minimize any potential impacts to these species.
- Once individual trees have been identified for removal, additional surveys will be conducted to confirm presence of any sensitive mosses or lichens.
- Any native habitat impacted that could potentially host these species will be replaced in kind on site through the landscape planting plan to the greatest extent feasible.

California Red-Legged Frog
- Only USFWS-approved biologists shall participate in activities associated with the capture, handling, and monitoring of CRLF.
- Ground disturbance shall not begin until written approval is received from the USFWS that the biologist is qualified to conduct the work.
- A USFWS-approved biologist shall survey the project area no more than 48 hours before the onset of work activities. If any life stage of CRLF is found and these individuals are likely to be killed or injured by work activities, the approved biologist shall be allowed sufficient time to move them from the site before work begins. The USFWS-approved biologist shall relocate CRLF the shortest distance possible to a location that contains suitable habitat and will not be affected by the activities associated with the project. The relocation site shall be in the same drainage to the extent practicable. Caltrans shall coordinate with USFWS on the relocation site prior to the capture of any CRLF.
- Before any activities begin on a project, a USFWS-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of the CRLF and its habitat, the specific measures that are being implemented to conserve CRLF for the current project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
- A USFWS-approved biologist shall be present at the work site until all CRLF have been removed, workers have been instructed, and disturbance of the habitat has been completed. After this time, Caltrans shall designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist shall ensure that this monitor receives the training outlined in measure 4 above and in the identification of CRLF. If the monitor or the USFWS approved biologist recommends that

work be stopped because California red-legged frogs would be affected in a manner not anticipated by Caltrans and USFWS during review of the proposed action, they shall notify the resident engineer immediately. The resident engineer shall resolve the situation by requiring that all actions that are causing these effects to be halted. When work is stopped, the USFWS shall be notified as soon as possible.

- During project activities, all trash that may attract predators or scavengers shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- Without the express permission of USFWS, all refueling, maintenance and staging of equipment and vehicles shall occur at least 60 ft from the riparian habitat or water bodies and not in a location from where a spill would drain directly toward aquatic habitat. The monitor shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, Caltrans shall ensure that a plan is in place for prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- Habitat contours shall be returned to a natural configuration at the end of the project activities. This measure shall be implemented in all areas disturbed by activities associated with the project, unless USFWS and Caltrans determine that it is not feasible, or modification of original contours would benefit CRLF.
- The number of access routes, size of staging areas, and the total area of activity shall be limited to the minimum necessary to achieve the project. ESAs shall be established to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to CRLF habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable.
- Caltrans shall attempt to schedule work for times of the year when impacts to CRLF would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain CRLF through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and technical assistance between Caltrans and the USFWS during project planning shall be used to assist in scheduling work activities to avoid sensitive habitats during key times of year.
- To control sedimentation during and after project completion, Caltrans shall implement BMPs shall be implemented outlined in any authorizations or permits, issued under the authorities of the CWA received for the project. If BMPs are ineffective, Caltrans shall attempt to remedy the situation immediately, in coordination with USFWS.
- If a work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than 0.2 in to prevent CRLF from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the streambed shall be minimized to the maximum extent possible; any imported material shall be removed from the streambed upon completion of the project.
- Unless approved by USFWS, water shall not be impounded in a manner that may attract CRLF.

- A USFWS-approved biologist shall permanently remove any individuals of exotic species, such as bullfrogs, signal and red swamp crayfish, and centrarchid fishes from the project area to the maximum extent possible. The USFWS approved biologist shall be responsible for ensuring his or her activities are in compliance with the CFCG.
- If Caltrans demonstrates that disturbed areas have been restored to conditions that allow them to function as habitat for CRLF, these areas will not be included in the amount of total habitat permanently disturbed.
- To ensure that diseases are not conveyed between work sites by the USFWS-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Task Force shall be followed at all times.
- Project sites shall be revegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials shall be used to the extent practicable. Invasive, exotic plants shall be controlled to the maximum extent practicable. This measure shall be implemented in all areas disturbed by activities associated with the project, unless USFWS and Caltrans determine that it is not feasible or practical.
- Caltrans shall not use herbicides as the primary method to control invasive, exotic plants. However, if it is determined that the use of herbicides is the only feasible method for controlling invasive plants at a specific project site; it will implement the following additional protective measures for CRLF:
- Caltrans shall not use herbicides during the breeding season for CRLF.
- Caltrans shall conduct surveys for the CRLF immediately prior to the start of herbicide use. If found, CRLF shall be relocated to suitable habitat far enough from the project area that no direct contact with herbicide would occur.
- Giant reed and other invasive plants shall be cut and hauled out by hand and painted with glyphosate-based products, such as Aquamaster® or Rodeo®.
- Licensed and experienced Caltrans staff or a licensed and experienced contractor shall use a hand-held sprayer for foliar application of Aquamaster® or Rodeo® where large monoculture stands occur at an individual project site.
- All precautions shall be taken to ensure that no herbicide is applied to native vegetation.
- Herbicides shall not be applied on or near open water surfaces (no closer than 60 ft from open water).
- Foliar applications of herbicide shall not occur when wind speeds are in excess of 3 mi per hour.
- No herbicides shall be applied within 24 hours of forecasted rain.
- Application of all herbicides shall be done by qualified Caltrans staff or contractors to ensure that overspray is minimized, that all applications is made in accordance with the label recommendations, and with implementation of all required and reasonable safety measures. A safe dye shall be added to the mixture to visually denote treated sites. Application of herbicides shall be consistent with the EPA's Office of Pesticide Programs, Endangered Species Protection Program County bulletins;
- All herbicides, fuels, lubricants, and equipment shall be stored, poured, or refilled at least 60 ft from riparian habitat or water bodies in a location where a spill would not drain directly toward aquatic habitat. Prior to the onset of work, Caltrans shall ensure that a plan is in place for a prompt and effective response to accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- Upon completion of the project, Caltrans shall ensure that a Project Completion Report is completed and provided to USFWS, following the template provided with the Programmatic Biological Opinion. Caltrans shall include recommended modifications of

the protective measures if alternative measures would facilitate compliance with the provisions of this consultation.

Northwestern Pond Turtle

- Prior to mobilization of construction equipment, Caltrans will conduct a worker environmental training program including a description of northwestern pond turtle, their legal/protected status, proximity to the project site, and avoidance/minimization measures to be implemented during the project.
- Prior to the start of construction activities, a qualified biologist will survey the API and, if present, capture and relocate any northwestern pond turtles to suitable habitat downstream of the API.
- Observations of northwestern pond turtle will be documented on CNDDB forms and submitted to CDFW upon project completion.
- The following site restrictions to avoid or minimize effects to northwestern pond turtle will be implemented.
    - A speed limit of 15 miles per hour in the project footprint in unpaved areas will be enforced.
    - Except when necessary, temporary artificial lighting at project site will be prohibited during hours of darkness.
    - No pets will be allowed anywhere on the project site during construction.
- Clearance surveys will be conducted regularly during initial ground disturbing activities that could result in take.

Pallid Bat and other roosting bats

- Preconstruction surveys will include evaluating trees to be removed as well as rock faces and the existing culvert for potential presence of roosting bats.
- If trees slated for removal display features suitable for roosting, a bat biologist shall conduct a visual and acoustic nighttime emergency survey. This survey shall be conducted between May 15 and July 15 to determine presence of maternity roosts.
- If maternity day roosts are located within the project area, a Bat Management Plan will be developed to avoid impacts which may include methods of roost exclusion, avoidance buffers, and monitoring. Such avoidance buffers may include a construction-free barrier of 200 feet from the roost and/or timing of construction activities outside of the maternity roost season (after July 31 and before March 1).

Migratory Nesting Birds

- If feasible and regulatory approvals allow, tree removal shall be scheduled to occur from October 1 and January 31, outside of the typical nesting bird season, to avoid potential impacts to nesting birds. If it is not feasible to conduct this work outside of the nesting bird season, nesting bird surveys should be conducted by a qualified biologist no more than 14 days prior to the start of construction. If an active nest is found, a qualified biologist shall determine an appropriate buffer and monitoring strategy based on the habits and needs of the species. The buffer area shall be avoided until a qualified biologist has determined that the nest is no longer active.
- If an active nest or roost is found, a qualified biologist shall determine an appropriate Environmentally Sensitive Area buffer or monitoring strategy based on the habits and needs of the species. The buffer area shall be avoided or monitoring strategy implemented until a qualified biologist has determined that juveniles have fledged and are no longer reliant on the nest.
- Trees to be removed will be noted on design plans.