

CHAPTER 1.0

EXECUTIVE SUMMARY

1.1 INTRODUCTION

As lead agency, Trinity County has prepared this Draft Environmental Impact Report (DEIR) for the proposed Hyampom Road Improvements Project; Post Miles 6.8 to 8.3. The project area is seven miles west of Hayfork and 12 miles east of Hyampom, between James Creek and the Nine Mile Bridge crossing Hayfork Creek on Hyampom Road (County Road 301) in Trinity County within the Hayfork Ranger District of the Shasta-Trinity National Forest.

The Trinity County Department of Transportation (TCDOT) proposes to:

- Realign tight radius curves to achieve a 25 miles per hour design speed;
- Widen Hyampom Road and Nine Mile Bridge to 11-foot lanes with two-foot paved shoulders;
- Raise the profile of the road at the eastern end of the project to correct flooding problems;
- Rehabilitate Nine Mile Bridge: replace the barrier rail, refinish the deck, and repaint;
- Place rock slope protection and retaining walls along Hyampom Road above Hayfork Creek;
- Replace the culvert at James Creek with a bridge;
- Realign the approach to Nine Mile Bridge
- Relocate the trail access for the Eight Mile Trail.

Construction is planned for the summers of 2005 and 2006.

This project is funded by State and Federal funding, through the State Transportation Improvement Program. The Federal Highway Administration (FHWA) is the federal lead agency responsible for federal environmental review required by the National Environmental Policy Act (NEPA). The federal environmental review process also includes consultation with the NOAA Fisheries Service and the U.S. Fish and Wildlife Service, in compliance with Section 7 of the Endangered Species Act (ESA) and consultation with the State Historic Preservation Office (SHPO) in compliance with the National Historic Preservation Act (NHPA). Consultation with SHPO is complete. Section 7 ESA Consultation is ongoing. This project will also require a Special Use Permit from the Shasta-Trinity National Forest. This will also require compliance with the ESA and NHPA, and with the Northwest Forest Plan. Specific studies have been performed to facilitate compliance with the Northwest Forest Plan, and the results have been submitted to the National Forest to support the Use Permit application.

Additional projects are planned along Hyampom Road by the TCDOT and the Federal Highway Administration, Central Federal Lands Highway Division (CFLHD). Curve realignment and minor widening are planned by TCDOT for the segment of Hyampom Road from the intersection of SR 3 in Hayfork to the Forest Boundary at Post Mile 3.7 in summer of 2004. A CEQA negative declaration was approved by the Trinity County Planning Commission on September 13, 2001.

The CFLHD, in cooperation with Trinity County and the Shasta-Trinity National Forest, has initiated environmental studies and design to rehabilitate and reconstruct portions of Hyampom Road within the National Forest, from the Forest Boundary at Post Mile 3.7 to Post Mile 6.8 (the eastern terminus of this project), and from Post Mile 8.3 (the western terminus of this project) through the one-lane segment to Post Mile 14.3. Construction is expected to take two to three years, starting in 2006. More information on this project can be found in Section 3.3 *Project Background* and Section 3.7 *Other Projects Proposed in the Vicinity*.

CFLHD is in the process of preparing a federal environmental document in compliance with NEPA for that future project. TCDOT intends to circulate the FHWA NEPA document as a CEQA document, in accordance with Article 14 of the CEQA Guidelines.

1.2 AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

An on-site agency scoping meeting was held on February 6, 2002 allowing an opportunity for the California Department of Fish and Game and the U.S. Forest Service to review the proposed roadway improvements in the field. Concerns and issues raised at that meeting and during the scoping periods for the TCDOT and CFLHD projects include the following:

TRINITY BRISTLESNAIL

The project will result in direct mortality and removal of habitat for the Trinity bristlesnail, a state-listed threatened species. Representatives from CDFG recommended that an EIR be prepared, due to the CEQA Guidelines "Mandatory Finding of Significance" which states that if the project has 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, **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" (emphasis added) then an EIR must be prepared.

The project will require an Incidental Take Permit for the Trinity bristlesnail from the California Department of Fish and Game (CDFG), pursuant to the Section 2081 of the California Endangered

Species Act (CESA). CESA requires that the impact to the bristlesnail must be “minimized and fully mitigated”.

A Conceptual Mitigation Plan for impacts to the Trinity Bristlesnail has been submitted to CDFG for review and approval. The Plan is included in this DEIR as Appendix D. Mr. Bob Williams of CDFG has commented on the plan, stating that its implementation would meet the requirements of CESA, and an incidental take permit for the Trinity Bristlesnail could be issued. Further consultation will occur between TCDOT and CDFG, prior to issuance of the Incidental Take Permit. See Section 4.7, *Biological Resources* for more information.

COHO SALMON

The Coho salmon has also been determined by CDFG to warrant listing as threatened under CESA. A Draft Biological Assessment addressing impacts to the Coho salmon, and proposed mitigation, was submitted to CDFG concurrently with the Conceptual Mitigation Plan for the Trinity bristlesnail. CDFG has not commented on the Biological Assessment, except to clarify that an Incidental Take Permit will also be required for the Coho salmon.

The Coho Salmon is also federally listed as threatened. As a federally funded project, consultation between FHWA and NOAA Fisheries will be required to address the requirements of the Federal Endangered Species Act. See Section 4.7, *Biological Resources* for more information.

NORTHERN SPOTTED OWL

The western end of the project, from Station 113+50 to the western terminus at Station 107, is within designated Critical Habitat for the northern spotted owl, federally listed as threatened. Spotted owl surveys were conducted in 2002, in accordance with U.S. Fish and Wildlife Service protocols. No owls were detected in 2002. Further surveys and consultation with the U.S. Fish and Wildlife Service are ongoing. See Section 4.7, *Biological Resources* for more information.

PUBLIC COMMENTS

Additional scoping has been held in connection with the above-mentioned project by the CFLHD on other segments of Hyampom Road. The CFLHD solicited public input on the proposed improvements to Hyampom Road, including the County’s segments. The public scoping process is described in Section 2.2, *Environmental Review Process*, of this EIR. In summary, the comments solicited from residents of Hayfork and Hyampom during public meetings and in response to public notices can be broken into three

general opinions: those that feel the project is important, those that reluctantly agree the road needs to be improved, and those who are against the project. In general, more comments were received in support of the project than in opposition.

Outside of Hyampom residents, few dispute that the road needs to be improved. Opinions of residents of Hyampom are mixed. Many understand that the project is warranted but want to make sure that the character and beauty of the road is preserved. They agree that safety and maintenance issues threaten the continued use of the roadway. They wish to maintain the windy, narrow roadway alignment. They are concerned about the vegetation removal, and want the improvements to be modest in nature.

There are several residents of Hyampom that feel fixing the road may attract more people and tourists to their protected valley. They are concerned that fixing the road will cause people to drive faster, which could result in more accidents. Some Hyampom residents are concerned that the construction period will be a long inconvenience with several road closures. The Hayfork Fire Protection District is also concerned about access for vehicles providing fire suppression or emergency medical services during construction.

1.3 ALTERNATIVES TO THE PROPOSED PROJECT

Alternatives to the proposed project are discussed in Chapter 5.0 of this DEIR. The alternatives are:

Alternative A: No Project: Continued maintenance of Hyampom Road, with no rehabilitation, reconstruction, widening or realignment.

Alternative B: relocating this segment of Hyampom Road to a more stable alignment; and

Alternative C: increasing the design speed to 50 km/h, 30 mph.

The environmental impacts of the alternatives to the proposed project are analyzed in Chapter 5.0, in comparison to the impacts of the proposed project. A ranking matrix ranks the impacts of the alternatives relative to those of the proposed project. In summary, the analysis concludes that Alternative A, the “No-Project Alternative” is environmentally superior in the short term, because it has no temporary construction-related impacts. However, in the long term, the Proposed Project is environmentally superior because it corrects some existing environmental problems caused by the existing road, which the No-Project Alternative would leave unaddressed.

1.4 ORGANIZATIONS AND PERSONS CONSULTED

The following individuals have been consulted regarding this project, listed by the agencies they represent. A complete list of personal communications and written references is provided in the Bibliography in Chapter 9.0 of this EIR.

California Department of Fish & Game:

Jack Miller
Bob Williams
Joe Croteau
Curt Babcock

Shasta-Trinity National Forest:

Anna Arnold
Susan Erwin
Christine Erickson
Cheryl Carrothers
David Tracy

Federal Highway Administration:

Harry Khani

Central Federal Lands Highway Division:

Patrick Flynn
Stephanie Popiel

California Department of Transportation:

Candace Miller
Eric Orr
Marcelino Gonzalez

U.S. Fish and Wildlife Service:

Ray Bosch

U.S. Army Corps of Engineers:

David Ammerman

Nor-El-Muk Nation/Wintu Tribe:

Raymond Patton
Robert Burns
James Carrigan

NOAA Fisheries:

Dianne Ashton

State Office of Historic Preservation:

Dr. Knox Mellon

Native American Heritage Commission:

Debbie Pilas-Treadway

Hayfork Fire Protection District:

Barbara Coon

North Coast Regional Water Quality Control Board:

Roy O'Connor

1.5 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

The potentially significant environmental impacts from the proposed project are listed below. All of the potentially significant impacts are mitigated to levels of non-significance by the proposed mitigation measures, listed below each of the environmental impacts.

Therefore, no significant unmitigated impacts would result from this project. There will be no significant unavoidable adverse effects, nor any irreversible and irretrievable commitments of resources.

Geology Impact – 1: The proposed project may result in soil erosion and slope instability.

Geology Mitigation –1 Areas disturbed during construction will be stabilized and revegetated in accordance with a revegetation plan prepared by TCDOT in consultation with the Forest Service as part of the design phase of the project and incorporated into the project plans and specifications. The following seed mix is proposed for use during revegetation, pending approval by the Forest Service: California brome (*Bromus carinatus*), Blue wildrye (*Elymus glaucus*), Idaho fescue (*Festuca idahoensis*), Lotus (*Lotus crassifolius/L. purshianus*), and Arroyo lupine (*Lupinus succulentus*). The seed will be obtained from a supplier that has certified weed-free stock genetically related to natives found in Trinity County. Seed, fiber, commercial fertilizer and water will be applied by hydroseeding, in accordance with methods identified as Type D erosion control measures in Section 20-2 through 20-3 of the Caltrans Standard Specifications. Seed will be applied in the fall or spring, when soils are moist or expected to be moist soon after distribution. Certified weed-free straw or rice straw will be used for mulching the reseeded areas. The straw will be applied with the hydroseed mix, or spread at least two inches thick and in a way to insure good contact with the soil. No herbicides or pesticides shall be applied.

Geology Mitigation-2. A California Registered civil engineer shall design the proposed cuts and fills in accordance with the Caltrans Design Manual, AASHTO Design Guide, California Standard Plans and California Standard Specifications, and in accordance with the recommendations of a site-specific Geotechnical Review. Field review and materials exploration shall be conducted by a California Registered Geologist, Certified Engineering Geologist or Geotechnical Engineer during design to determine the stability of materials encountered in proposed cuts, and any necessary treatments. Rock buttresses, slope rounding, rock catchment systems and/or other appropriate methods recommended by the Project Geologist to prevent slope failures will be incorporated into project design.

Significance After Mitigation: Less than Significant

Geology Impact-4: Construction activities associated with the project would temporarily expose

soils to wind and water erosion within the proposed project area.

Geology Mitigation-32 The following measures will be implemented:

- Soil exposure will be minimized during construction through the use of standard Best Management Practices, including but not limited to geofabrics, silt fences, straw bales and wattles, and temporary sediment basins. Exposed dust-producing surfaces will be sprinkled daily until wet while avoiding producing runoff.
- The TCDOT contractor will conduct daily inspections and maintenance of erosion and sediment control measures. Failures will be repaired each workday if they occur.
- All temporary erosion and sediment control measures will be removed after the working area is stabilized or as directed by the project engineer.

Significance After Mitigation: Less than significant

Hydrology Impact-5: Temporary water quality impacts could occur as a result of construction of the Hyampom Road Improvements project.

Hydrology Mitigation-1 The following measures will be implemented:

- No contact of wet concrete with the live stream will be allowed. Groundwater that comes in contact with wet concrete, such as within bridge footing excavations, will not be allowed to enter the creek but will be pumped to a truck or upland for disposal or treatment, or it may be discharged to a sediment-stilling basin on site and percolated back into the soil.
- If drilling muds are used to drill holes within the ordinary high-water zone, all drilling muds and fluid within all drilled holes will be pumped through a closed system, contained on-site in tanks, removed from the project area, and disposed of off-site at an appropriate facility.
- The TCDOT contractor will remove all spoils materials from the drilled pier holes and dispose of the material in a manner that will not result in discharge of runoff of sediment into Waters of the United States.
- Heavy equipment will not be operated in the active flow channel of any creek.
- Complete diversion or damming of surface flows will not be allowed. A cofferdam may be installed along the edge of the low flow channel of Hayfork Creek, but shall not result in complete dewatering or impedance of flows within the creek.
- Maintenance and refueling areas for equipment will be located a minimum of 100 ft away from the active stream channel. If equipment must be washed, washing will occur where the water cannot flow into the creek channel.
- Spill containment booms will be maintained on-site at all times during construction operations and/or staging or fueling of equipment.

Significance after Mitigation: Less than significant

Hydrology Impact-6 Use of staging areas near Hayfork Creek or James Creek could result in discharge of construction materials or chemicals to the water bodies.

Hydrology Mitigation-2 All staging areas will be established at least 50 feet from the top of the stream bank or 50 feet from the outer edge of the riparian habitat, whichever is farther. This buffer will be clearly identified on the design drawings and delineated in the field with orange construction barrier fencing. Sedimentation fencing or other erosion and sediment control measures will be installed between the staging area and the riparian area to prevent sediment and pollutant discharges to creeks and riparian areas. There will be no removal of riparian vegetation for staging purposes.

Significance after Mitigation: Less than significant

Hazards Impact – 1: Road closures and lane closures during construction could interfere with emergency response or emergency evacuation, including response to wildland fires.

Hazards Mitigation – 1: The TCDOT will coordinate closely with emergency service providers before and during construction. A Fire Plan will be developed between the TCDOT, USFS, Hayfork Fire District, Hyampom Community Services District, Trinity County Sheriff's Office and Trinity Ambulance Service. The plan shall establish lines of communication so that the construction crew receives notification of an emergency need to open the road prior to the arrival of emergency vehicles at the site. Procedures will also be established to keep emergency service providers advised of the location of construction crews, the activities going on at the time and the estimated time to clear the road for each activity. Communication shall also include current information on the status and passibility of alternate routes. The emergency service providers will use this information to determine the fastest way to reach the emergency site under the present circumstances.

Significance after Mitigation: Less than significant.

Hazards Impact – 4: Fuels, oils, greases, solvents or other hazardous materials used in construction or construction equipment could be accidentally released to the environment.

Hazards Mitigation – 3: The Contractor shall exercise every reasonable precaution to protect streams from pollution with fuels, oils and other harmful materials. The Contractor will be required to have adequate spill containment equipment on hand at all times. All waste petroleum products and empty

petroleum product containers will be disposed of properly at a recycling or disposal site legally authorized to accept that type of waste. The Trinity County Environmental Health Department and NCRWQCB must be notified immediately in the event of a release of significant quantities of hazardous materials. In the event of a release into Hayfork Creek, CDFG must also be notified.

NOTE: This impact is also mitigated by the previously listed measures:
Hydrology Mitigation-1 and Hydrology Mitigation-2

Significance after Mitigation: Less than significant

Hazards Impact –5: The combined road rehabilitation projects proposed by TCDOT and CFLHD will result in similar delays for emergency vehicles during construction

Hazards Mitigation – 4: CFLHD Resident Engineers will be in direct radio contact with the USFS. The CFLHD Contractor will be required to have a serviceable telephone, radiotelephone or radio system connecting each construction operation with the Contractor’s headquarters. A radio-equipped fire patrolperson vehicle will satisfy this requirement if in operation during the time required. When such headquarters is at a location which makes communication to it clearly impractical, the Forest Service will accept a reasonable alternative location. The communication system shall provide prompt and reliable communications between the Contractor’s headquarters (or above stated alternative) and Forest Service via commercial or Forest Service telephone. The communications system shall be operable during Contractor’s operation in the fire precautionary period and at the time fire patrolperson service is required.

Significance after Mitigation: Less than significant.

Air Quality Impact – 2: Project construction activities associated with the proposed project would generate short-term air emissions.

Air Quality Mitigation-1: At any time when visible dust is emitted by project operations, all excavated areas, access roads, stockpiles and other areas that are not paved, rocked or covered shall be watered by the construction contractor at least daily. Water shall be applied in a fine spray that does not result in runoff from the watered surfaces.

Air Quality Mitigation –2: The construction contractor shall be required to maintain construction vehicles in good running condition.

Significance After Mitigation: Less Than Significant

Biology Impact – 1: The proposed project would result in permanent impacts to various vegetative

communities, including the loss of several hundred trees.

Biology Mitigation – 1: To minimize removal and disturbance of Douglas fir forest, Oregon oak woodland, and riparian habitats, the following avoidance and minimization measures will be implemented:

- **Prior to the initiation of construction activities TCDOT shall clearly demarcate (with uniquely colored construction stakes or high visibility orange mesh fencing) the limits of construction within natural habitat areas.**
- **Prior to the onset of site grading, construction personnel shall be informed about the importance of avoiding ground-disturbing activities outside the designated construction work area. The TCDOT Resident Engineer and Environmental Compliance Specialist, with support from qualified biologists, will ensure that construction equipment and associated activities avoid any disturbance of sensitive resources outside the project areas.**
- **All material stockpiling and staging areas will be located within project right-of-ways in non-sensitive areas, or at designated disturbed/developed areas outside of design construction zones;**
- **Vehicle and equipment refueling and lubrication will only be permitted in designated disturbed/developed areas where accidental spills can be immediately contained;**
- **Project plans shall clearly indicate the locations of environmentally sensitive areas such as the Hayfork Creek riparian corridor, boundaries of waters of the United States, limited operation buffers (if present), and other areas where access or disturbance is prohibited on a temporary or permanent basis; and**
- **Minimize tree and shrub removal to the extent necessary for construction and to provide adequate line-of-sight and hazard reduction. When feasible, trees or shrubs that interfere with construction or project operation will be pruned or topped, but not removed.**

Biology Mitigation – 2 Riparian vegetation that will be permanently removed (rather than trimmed or topped) will be replaced at a 3:1 ratio. Replacement may occur in areas where the road is realigned away from Hayfork Creek, to enhance the riparian corridor. The exact planting locations shall be determined by the County in coordination with the USFS, and a Riparian Mitigation Plan shall be prepared, including the following elements:

- **Prior to construction, a qualified biologist or restoration ecologist shall count and identify riparian tree and shrub species that may be removed to accommodate construction.**
- **To mitigate for the loss of riparian habitat, TCDOT will conduct mitigation through planting at a ratio of 3:1 (per mature woody riparian plant) for habitat permanently lost due to project construction activities. Replacement of permanently lost riparian habitat would occur within the project area in disturbed areas or other areas currently**

devoid of riparian vegetation but judged by a qualified restoration ecologist or botanist as having potential to support and sustain riparian vegetation adjacent to Hayfork Creek. However, new tree and shrub vegetation will not be planted within 30 feet of Nine-mile Bridge, to ensure maintenance access to the bridge, and unobstructed flows under the bridge.

- Following the completion of construction activities, plantings shall be installed to replace all riparian trees and shrubs that would be removed as a result of the project. All non-native species that are removed will be replaced with native species. Replacement trees and shrubs should be planted in the appropriate season (i.e., spring or preferably fall) following the completion of construction. Propagules (i.e., shrub cuttings, tree seedlings) shall be obtained either onsite or from a local nursery and planted along Hayfork Creek within the immediate project area.
- The County shall monitor the plantings annually for up to three years to ensure that trees and shrubs have become established. Supplemental planting would be conducted, as necessary, to ensure that the performance standard of three surviving trees per one mature riparian tree removed is met. Once riparian mitigation has been successfully completed, the County shall submit a memorandum to CDFG, USFS and the U.S. Army Corps of Engineers.

NOTE: This impact is also mitigated by the previously listed measure: **Geology Mitigation –1**
Significance After Mitigation: Less Than Significant

Biology Impact – 2: The project could result in the introduction or spread of noxious weed species, which could displace native species, changing the diversity of species or number of species of plants.

Biology Mitigation-3: To avoid the introduction or spread of noxious weeds into previously uninfested areas or the spread of existing noxious weeds, the County will implement the following measures:

- The Construction Supervisor and/or the Resident Engineer will be educated on weed identification and the importance of controlling and preventing the spread of noxious weeds;
- Construction equipment will be washed prior to entering and exiting the project area in order to remove seed materials and lessen the potential for the spread of invasive weeds;
- Only native, noninvasive species or nonpersistent hybrids and certified weed-free materials will be used for revegetation and erosion control;
- Disposal of soil or plant materials from areas containing invasive species will not be allowed in uninfested native vegetation areas.

Significance after mitigation: Less than significant

Biology Impact – 4: Project construction could result in impacts to special-status plant species.

Biology Mitigation 4: The following measures would be implemented in order to mitigate impacts to clustered (Brownie) lady's slipper:

- A qualified botanist shall conduct a focused survey for clustered lady's slipper in the project area in spring (April-May) of the year of design to determine the precise location of the occurrence and to determine whether or not the occurrence will be directly affected by the project;
- If clustered lady's slipper is found to occur in or near areas to be disturbed, the bridge design shall be modified to fully avoid the population if practical and feasible, and the population shall be clearly demarcated with construction barrier fencing;
- If complete avoidance is not feasible, the entire population will be transplanted to another suitable location on James Creek.

In the event that transplantation is necessary, a qualified botanist would do the following:

- Identify a suitable transplantation site (i.e., densely shaded [$>60\%$ canopy cover], perennially damp, dense duff layer) on James Creek upstream of the impact site in consultation with the Forest Service botanist;
- Perform transplantation when plants are dormant or after fruit maturation and while sufficient soil moisture and air temperature will prevent desiccation (i.e., October-November);
- Transplant all potentially affected individuals with a sufficient quantity of soil to protect the roots of the affected plants (transplant soil and plants as a unit if possible); and
- Monitor transplant site for a period of three years following transplantation to assess success of transplantation efforts. Monitoring will include an annual assessment of site conditions, health, survivorship of transplanted individuals, and reproductive potential (i.e., fruit-set). Annual monitoring will be summarized in a brief letter report and submitted to the Forest Service following completion of monitoring efforts.

Biology Mitigation 5: Potential impacts to the Canyon Creek stonecrop shall be reduced by fencing the known population with construction barrier fencing and avoiding these areas during construction.

Biology Mitigation 6: The following measures would be implemented in order to mitigate impacts to Nile's madia:

- Complete construction within the vicinity of the population of Madia located at Station 117 after seed set (i.e., complete work mid-July through October). This construction window is flexible: the County would consult with the USFS if construction needs to occur outside the given dates.

- **Stockpile soil within the vicinity of Station 117 in order to preserve the madia seedbank and reapply after construction is complete. This is feasible if reapplication occurs prior to the onset of fall rains, i.e., if stockpiling and reapplication can occur within the same construction season.**

Significance After Mitigation: Less Than Significant

Biology Impact – 5: Project construction could result in impacts to the Trinity bristlesnail, a state-listed invertebrate.

Biology Mitigation 7: Impacts on the Trinity bristlesnail will be fully mitigated through a comprehensive mitigation plan that involves avoidance and minimization of impacts to Trinity bristlesnail habitat as well as individual snails. The mitigation plan shall also include measures to restore degraded habitat for the snail with appropriate restoration measures and a commensurate monitoring plan to document project success. The Mitigation Plan for the Trinity Bristlesnail is included as Appendix D of the Draft EIR.

- **The County shall initiate consultation with the California Department of Fish and Game (CDFG) to obtain an Incidental Take Permit (ITP) under the California Endangered Species Act for project related effects on the Trinity bristlesnail. Upon completion of consultation and issuance of the ITP the County shall comply with all conditions and measures stipulated to minimize and fully mitigate for impacts to the species and its habitat. At a minimum, mitigation agreed to within the ITP shall include the following mitigation measures:**
 - **Clearly depict James Creek and its associated riparian vegetation and Hayfork Creek and its associated riparian vegetation as Environmentally Sensitive Areas (ESAs) on all project drawings and plans;**
 - **Prior to the initiation of construction activities clearly demarcate (with uniquely colored construction stakes) the limits of construction within natural habitat areas (i.e., Douglas fir forest, Oregon oak woodland, and riparian habitats); staked boundaries may be inspected by a representative of DFG prior to the onset of earthwork;**
 - **Implement the avoidance and minimization provisions required by Biology Mitigation – 1 in this Draft EIR.**
- **The County shall retain an experienced biologist to conduct a focused survey in all optimal habitat areas, and optimal microhabitat areas within sub-optimal habitat areas (i.e. in the James Creek Riparian corridor and in mesic moderately shaded Douglas fir forest and Oregon oak woodland on southeast and west facing slopes) within the area to be disturbed for Trinity bristlesnail individuals. The survey shall be conducted in the month of May prior to construction to maximize the potential for species detection. If individuals of Trinity bristlesnail are found within areas proposed for disturbance within the project area they shall be captured and moved to suitable sites outside the project area that contain optimal habitat within the local watershed. Capture and relocation of the Trinity bristlesnail shall only proceed after applicable permits and permissions are obtained from CDFG.**
- **Restore disturbed habitat within James Creek in accordance with the Mitigation Plan.**

- The County shall perform annual and long-term monitoring for 15 years, in accordance with the Mitigation Plan.
- The County shall restore a minimum of 0.13-acre of optimal Trinity bristlenail habitat. Planted trees shall have a combined survival rate of 80% by the fall of the fifth year of monitoring. By the end of year 15 the restoration area shall exhibit a dense continuous canopy cover and significant development of a leaf-mold layer (a continuous layer at least 5 cm thick).
- The County shall perform remedial actions if necessary to achieve performance standards.
- If remedial plantings are necessary, they will be monitored for an additional 10 years, or until performance standards are met.

Significance after mitigation: Less than Significant

Biology Impact – 6: Project construction could result in impacts to the non-listed invertebrate species that are listed as Survey and Manage Species in the Northwest Forest Plan.

Biology Mitigation 8: Potential impacts to terrestrial mollusks, including Survey & Manage species, shall be reduced through the implementation of the Mitigation Recommendations for U.S. Forest Service Survey and Manage Species Potentially Affected by the Proposed Hyampom Road Improvement Project (PM 6.5-8.3) by May & Associates, Inc. November 2002, in consultation with the Shasta-Trinity National Forest. Mitigation shall include the following:

- Implement the avoidance and minimization provisions required by Biology Mitigation – 1 in this Draft EIR.
- Limit ground disturbing and soil compacting activities to the minimum necessary within the project area. Talus, debris, and vegetation shall be maintained to the extent feasible to provide for cool moist areas during fall and spring and to provide refuge sites for summer aestivation and winter hibernation.
- Existing trees, canopy closure, surface vegetation, woody debris, and uncompacted forest litter shall be protected to the extent feasible

Significance After Mitigation: Less Than Significant

Biology Impact 7: In-stream construction could result in direct impacts to special-status fish species.

Biology Mitigation- 9: The County shall perform in-stream construction activities, within the Ordinary High Water Mark of Hayfork Creek or James Creek, only between June 15 and October 15. Construction may continue after October 15 if there is no threat of rain, with permission from CDFG and/or NOAA Fisheries. In-stream construction shall be completed within one construction season, or all temporary equipment, materials and fills shall be removed from the Ordinary High Water Channel by October 15.

Biology Mitigation – 10: The County shall construct rock slope protection and retaining wall systems so as to minimize or avoid in-stream construction activities. Any unavoidable instream construction activities shall be isolated from the stream flow through the use of temporary cofferdams.

Significance After Mitigation: Less Than Significant

Biology Impact 8: Indirect impacts to special-status fish species could result from pollution or sedimentation of Hayfork Creek.

NOTE: This impact is mitigated by the previously listed measures:

Geology Mitigation –1, Geology Mitigation-2 Hydrology Mitigation – 1,

Hydrology Mitigation – 2, Hazards Mitigation – 2 and Biology Mitigation –2.

Significance After Mitigation: Less Than Significant

Biology Impact – 10: Project construction could result in impacts to special-status bird species.

Biology Mitigation –11: TCDOT shall complete the second year of the USFWS two-year protocol-level surveys for northern spotted owl. In the event that no northern spotted owls are detected during the second year of surveys no further measures will be employed to avoid or minimize impacts to the species.

If a nest tree of a nesting pair (i.e., activity center) is detected within 400 m (¼ mi) of proposed earthwork the USFS will be notified of the location of the nest. The activity center will be protected as follows:

No construction activities that exceed 90 A-weighted decibels (dBA) measured 15.2 m (50 ft) from the source will occur within 305 m (1,000 ft) of the nest tree during the period between February 1 and July 10 unless a qualified biologist experienced with the assessment of nesting northern spotted owls determines that nesting has failed prior to July 10 or if the biologist determines that the young are capable of tolerating noise disturbance of the magnitude generated by the construction of the project.

Biology Mitigation – 12: Pre-construction surveys to verify that Cooper's hawk, sharp-shinned hawk, Vaux's swift, and hermit warbler are not nesting within the vicinity of the proposed project shall be completed in the spring prior to the commencement of construction activities. If more than one year of

construction is required to complete the project, then these preconstruction surveys shall be completed in the spring prior to each construction season. The biologist conducting the surveys shall locate and map active nests within the project area or within ½ km (1/3 mile) of its boundaries. If nests of any of these species are found, a limited operating period shall apply to construction activities within 500 feet of the nest. If Cooper's or sharp-shinned hawk nests are found, no construction activities shall occur within 500 feet of the nest site until the end of August or until the nestlings have fledged. If Vaux's swift nests are found, no construction activities shall occur within 500 feet of the nest site until early September or until the nestlings have fledged. If hermit warbler nests are found, no construction activities shall occur within 500 feet of the nest site until early July or until the nestlings have fledged. The locations of nest sites shall be provided to the CDFG, USFWS, and USFS, and additional agency-required measures shall be implemented.

Significance After Mitigation: Less Than Significant

Biology Impact – 12: Project construction could result in discharge of fill to “waters of the U.S.”

Biology Mitigation – 13: A Clean Water Act Section 404 Permit (probably under Nationwide Permits #s 13 and #14) shall be obtained from the ACOE, a 401 Water Quality Certification or Waiver shall be obtained from the RWQCB, and a 1601 Streambed Alteration Agreement shall be obtained from the CDFG. These permits shall be obtained prior to construction. The stipulations of these permits shall be included in the Plans, Specifications and contract documents prepared for this project and enforced in the field by the TCDOT Resident Engineer.

Significance After Mitigation: Less Than Significant

Cultural Impact – 1: Excavations associated with the proposed project could result in the accidental destruction of previously undiscovered archaeological or historical resources, or could result in the uncovering of Native American human remains.

Cultural Mitigation –1: Members of the Nor-El-Muk Nation and the Wintu Education and Cultural Council will be consulted before construction begins. They will be notified of the construction schedule, and invited to visit the site to view the project limits. If construction is to occur in areas considered by the Nor-El-Muk Nation or Wintu Cultural Council to be likely to contain burials or other archeological resources, then the Nation or Council may assign a representative to monitor construction in that vicinity, at their own expense.

Cultural Mitigation –2: In the event that previously unidentified cultural or paleontological resources are encountered during construction, there shall be no further excavation or disturbance of that area. The contractor shall avoid the materials and their context. The Trinity County DOT Project Engineer shall be notified immediately. A qualified

archaeologist shall evaluate the find to determine its historical or archaeological significance. If the find is determined to be a significant historical or archaeological resource, the archaeologist shall make recommendations for appropriate mitigation. Work in the area shall not resume until the mitigation measures recommended by the archaeologist have been implemented.

Cultural Mitigation –3: In the event that previously unidentified evidence of human burial or human remains are discovered, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Trinity County Coroner must be informed and consulted, per state law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. They will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission, and/or the most likely descendent have been implemented.

Significance After Mitigation: Less Than Significant

Utilities Impact – 1: During construction, the proposed project could impact police, medical and fire protection services response times between Hyampom and Hayfork.

NOTE: This impact is mitigated by the previously listed **Hazards Mitigation – 1**.
Significance after Mitigation: Less than significant.

Utilities Impact – 4: The proposed project, in combination with other projects on Hyampom Road proposed by TCDOT and CFLHD will result in delays for emergency vehicles during several construction seasons.

NOTE: This impact is mitigated by the previously listed **Hazards Mitigation – 4**.
Significance after Mitigation: Less than significant.

The following two impacts were determined to be less than significant. However, mitigation is proposed to further reduce these impacts.

Hazards Impact – 3: Construction and operation of the proposed project could result in the exposure of the public or construction workers to contaminated soils or groundwater.

Significance: Less than significant

Hazards Mitigation – 2: If obvious signs of contamination in soils or groundwater are encountered during excavation (odors, sheens or discolored soil), work in that

excavation will stop immediately. The TCDOT and the Trinity County Division of Environmental Health will be notified. The soils and/or groundwater will be sampled and tested for suspected contaminants. A Workplan and Site Safety Plan will be prepared addressing safety procedures for completing the excavation, and disposal of the spoils and wastewater generated by the excavation. The workplan shall be approved by the Trinity County Division of Environmental Health and/or the NCRWQCB. Only workers with current Hazardous Waste Operations and Emergency Response (HAZWOPER) training shall be permitted to work in this area. Grading and construction on uncontaminated sections of the project may continue. Remediation of the contaminated soil and or groundwater in the surrounding area shall be the responsibility of the party responsible for the contamination.

Noise Impact – 1: Noise levels within the project area will increase temporarily during construction.

Significance: Less than significant

Noise Mitigation – 1: Construction activities shall comply with the Trinity County Noise Ordinance by either scheduling construction activities in order to qualify for the Noise Source Exemption, or by limiting construction noise to comply with the exterior and interior noise level standards at the nearest residence, as set forth in the current Trinity County Noise Ordinance. If no Noise Ordinance is in effect at the time of construction, then construction activities producing significant noise (80 dB or greater at 50 feet) shall be scheduled for between the hours of 7:00 a.m. and 8:00 p.m. Monday through Saturday, with no construction taking place on Sunday.

The environmental analysis in Chapter 4.0 of this DEIR determines that the following impacts are less than significant, and do not require mitigation:

Geology Impact – 2: The proposed project could expose people or structures to seismic hazards.

Geology Impact – 3: The proposed project could impact the potential for minerals recovery.

Geology Impact –5: The proposed project could add to cumulative increases in soil erosion due to development within the project vicinity.

Hydrology Impact – 1: Water quality impacts to Hayfork and James Creeks and unnamed drainages could occur as a result of the finished project.

Hydrology Impact – 2: Groundwater impacts could occur as a result of the proposed project.

Hydrology Impact – 3: Flooding impacts could occur as a result of the proposed project.

Hydrology Impact – 4: The drainage pattern within the area could be impacted by the proposed project.

Hydrology Impact – 7: The proposed project could add to the cumulative effects on water quality from other projects along Hayfork Creek or the South Fork Trinity River.

Hazards Impact – 2: Sanding and painting of nine-mile bridge will disturb existing lead-based paint, potentially exposing construction workers and the environment to lead, chromium and zinc.

Hazards Impact –6: The proposed project, combined with other temporary road construction projects in the project vicinity will result in exposure of the public, including construction workers, to hazardous materials.

Air Quality Impact – 1: The proposed project would generate operation-related air quality impacts.

Air Quality Impact –3: Construction of the proposed project could generate air quality impacts to sensitive receptors.

Air Quality Impact – 4: Construction of the proposed project, combined with other construction projects in the vicinity, could add to the cumulative effects on air quality.

Noise Impact –2: Construction noise from the proposed project could combine with noise from other projects in the vicinity, resulting in a cumulative increase in ambient noise.

Biology Impact – 3: Construction activities would result in temporary disturbance to general (non-special-status) wildlife and fish species.

Biology Impact 9: Project construction could result in impacts to special-status amphibian and reptile species.

Biology Impact – 11: Project construction could result in impacts to special-status mammal species.

Biology Impact – 13: The proposed project could add to the cumulative effects of development within the project vicinity, including increased potential for impacts to biological resources.

Cultural Impact –2: The proposed project could add to the cumulative effects of development within the project vicinity, including increased potential for impacts to cultural resources.

Land Use Impact –1: The proposed project will impact the Eight Mile Trail.

Land Use Impact –2: Construction will temporarily interfere with access to recreation in the National Forest and cultural events in Hyampom.

Land Use Impact –3: The proposed project, combined with other projects in the vicinity, could result in cumulative effects on land use or recreation.

Utilities Impact –2: The proposed project will result in the generation of construction waste.

Utilities Impact 3: Construction equipment will utilize diesel fuel and gasoline during construction.

Utilities Impact –5: Other construction projects in the area will generate similar quantities of construction waste.

Utilities Impact –6: Other constructions projects in the area will consume energy during construction.

Traffic Impact –1: Construction of the proposed project could result in a temporary increase in traffic on Hyampom Road.

Traffic Impact –2: Construction of the proposed project will interfere with access to and from Hyampom and USFS lands.

Traffic Impact –3: Construction of the proposed project, combined with other proposed construction projects on Hyampom Road, could result in cumulative traffic impacts for residents of Hyampom and Hayfork and users of USFS lands.

Visual Impact – 1: Construction of the proposed project will result in the removal of existing trees and other changes to visual resources.

Visual Impact – 2: During construction the visual qualities of the site will be temporarily degraded.

Visual Impact – 3: The combination of several rehabilitation projects along Hyampom Road will result in permanent changes to the visual qualities of the road corridor.

Visual Impact – 4: During construction of the combined projects in Hayfork and on Hyampom Road, the visual qualities at each construction site will be temporarily degraded.