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**NEVADA COUNTY BOARD OF SUPERVISORS**  
**Board Agenda Memo**

**MEETING DATE:** June 13, 2017

**TO:** Board of Supervisors

**FROM:** Jessica Hankins, Public Works Project Manager

**SUBJECT:** **Resolution Adopting the Initial Study/Mitigated Negative Declaration for the Shady Creek Bridge at Purdon Road Bridge Replacement Project – District 4**

**RECOMMENDATION:** Approve the attached Resolution adopting the proposed Mitigated Negative Declaration pursuant to Section 15074 of the California Environmental Quality Act (CEQA), making findings A-E as outlined at the end of this staff report.

**FUNDING:** This project is primarily funded with Highway Bridge Program (HBP) and impacts the Roads Engineering Division FY 2016/17 budget. No budget amendment is needed and there is no impact on the General Fund.

**BACKGROUND:** The Shady Creek Bridge, constructed in 1945 and strengthened in 1975, spans Shady Creek in an east-west direction with the creek flowing in a north to south direction. The bridge is located where Purdon Road crosses Shady Creek immediately northwest of the intersection of Purdon Road and Whittlesey Lane, approximately 750 feet southeast of the intersection of Purdon Road and Tyler Foote Crossing Road, as shown in Attachment 1.

Purdon Road has two travel lanes approximately 11 feet wide each. The existing bridge is a two-span, steel structure with a timber deck, grouted rock abutments and a slanted steel pier. The spans are 13 and 34 feet, and the total bridge length is 47 feet long. Caltrans maintenance inspection records show that the bridge is structurally deficient due to its superstructure condition. In response, Nevada County Department of Public Works proposes to replace the bridge using a combination of local and Highway Bridge Program funds for preliminary engineering, environmental, right-of-way acquisition, construction, and construction engineering.

**PROJECT DESCRIPTION:** The proposed bridge would replace the existing structure with a single-span, approximately 60-foot-long by 27-foot-wide, cast-in-place, pre-stressed concrete slab bridge. The

bridge would accommodate two lanes, two shoulders and two bridge railings, and would be supported by spread footing abutments.

Construction would include approximately 300 feet of roadway west of the bridge and 200 feet of roadway east of the bridge. The project work area is approximately 1.46 acres in size and includes all permanent improvements as well as temporary work areas, staging areas, and access routes. The roadway would be maintained as two unstriped travel lanes. Purdon Road would remain open during construction, as this road is the only all-weather access from Tyler Foote Crossing Road to many properties. The new bridge would be built in stages or built adjacent to the existing bridge so that at least one lane of traffic is open at all times. Alternatively, a temporary crossing may be constructed adjacent to the existing bridge. This temporary crossing would either consist of fill, with Shady Creek being diverted through temporary culverts, or re-using the existing superstructure placed on temporary abutments and approach fill. Selection of either method would be at the option of the contractor. Some roadway and structure improvements fall within private right-of-way. It is anticipated that the project would require right-of-way to be acquired.

**PROJECT SCHEDULE:** Once the proposed Mitigated Negative Declaration/Initial Study is adopted, additional project milestone delivery dates are anticipated as follows:

1.	Right of Way Certification	Fall 2017
2.	Request for Authorization Construction	Winter 2017-18
3.	Board Approval to Advertise Const.	Winter 2017-18
4.	Award Construction Contract	Spring 2018
5.	Begin Construction	Summer 2018
6.	Complete Construction	Fall 2018

**ENVIRONMENTAL REVIEW:** A number of technical studies were prepared for the project and used in the analysis of environmental impacts in the Initial Study. These include an Archaeological Survey Report, a Biological Assessment for California Red-Legged Frog, a Draft Geotechnical Engineering Report, an Initial Site Assessment, a Natural Environment Study, and a Water Quality Assessment Report. The environmental review identified the following environmental issues and mitigations. All impacts can be mitigated to a less-than-significant level. Mitigation measures are included in Attachment 2 to this staff report.

After initial circulation, an incorrectly listed proposed bridge width of 32 feet was modified to reflect the proposed bridge width of approximately 27 feet wide. This was a typographical error, and the correct width was noted in all the project technical studies. This change does not constitute a “substantial revision” under CEQA Guidelines Section 15073.5(a) and (b), would not result in any new significant effects, and would in fact serve to reduce the project footprint and therefore reduce project impacts. Therefore, recirculation of the IS/MND is not required under CEQA.

**Air Quality:** The project’s construction emissions were estimated using the Roadway Construction Emission Model by the Sacramento Metropolitan Air Quality Management District (SMAQMD 2014), which is the accepted model for all CEQA roadway projects throughout California. The model results were compared to the NSAQMD significance thresholds, and it was found that project construction would not exceed emission thresholds established by the NSAQMD except for Level A of NOx significance thresholds during project construction. Air quality impacts would be *less than significant with mitigation* with implementation of Mitigation Measures 3B and 3C, which include using

alternatives to open burning when feasible, providing traffic control during construction to improve traffic flow, and implementing dust control measures during construction.

**Biological Resources:** Database searches identified 21 regional species of special concern with potential to occur within the project vicinity. An analysis of habitat requirements and recorded occurrences determined that only two of these species (California red-legged frog and foothill yellow-legged frog) have the potential to occur within the project impact area. Neither species was observed within the project area during field surveys, but both are still considered to have potential to occur in the area based on presence of potentially suitable dispersal habitat and regional occurrences. In addition, the project would have permanent impacts to 0.02 acre of riparian habitat from the construction of a wider bridge, and temporary impacts to an additional 0.14 acre of riparian habitat from vegetation removal and site grading during construction. The proposed project would minimize impacts to montane riparian habitats with numerous measures including but not limited to pre-construction staking and fencing, BMPs, pre-construction surveys, environmental awareness training for construction personnel, and implementation of a Stormwater Pollution Prevention Plan (SWPPP). In addition, the County will submit a 1602 preconstruction notification form to CDFW, which will include additional measures to further reduce impacts. With these measures as identified in Mitigation Measures 4A and 4B, the project will have impacts that are *less than significant with mitigation*.

**Cultural Resources:** Shady Creek Bridge at Purdon Road is not considered a historical structure and is not eligible for listing in the National Register of Historic Places. The project as proposed does not directly affect any known historic or prehistoric resource. No historic or prehistoric resources were recorded during the pedestrian survey within the Area of Potential Effects. However, there is potential for unanticipated discovery of cultural resources, including historic, prehistoric, and paleontological resources, during project construction. This impact would be *less than significant with mitigation* with the implementation of Mitigation Measures 5A and 5D which require notification of the appropriate entities if cultural resources are discovered during construction.

**Geology/Soils:** The project would remove vegetation on the banks of Shady Creek, potentially destabilizing the slopes. BMPs described in Measure 4B would minimize potential for erosion and sediment transport during and post construction. In addition, the Project Area is greater than 1 acre in size, and the County would be required to obtain a 402 general construction permit for the Project. As part of this permitting process, a SWPPP would be developed to protect surface waters and prevent erosion and sediment transport. Project-related loss of topsoil or erosion would therefore be *less than significant with mitigation*.

**Hazards/Hazardous Materials:** No known hazardous material spills were found within one mile of the project area; however, during the visual survey of the project site, it was observed that the wooden guard rail posts and wood deck of the bridge had stippling characteristic of treated wood. Treated wood waste generated by demolition of the existing bridge may be harmful if improperly disposed of and must be disposed of in a Class 2 waste facility to ensure proper disposal as described in Measure 8B. In addition, a lead sample evaluation conducted on August 6, 2015, found lead-based paints on the white painted surfaces of the bridge. A “Lead Compliance Plan” and proper disposal of lead waste as described in Measure 8B would be incorporated into the project design to minimize the potential for accidental release. Should a spill of contaminants occur during construction, it would be remediated immediately to minimize the potential for impacting public health by use of a spill cleanup kit as described in Measure 8B. Release of hazardous materials are anticipated to be *less than significant with mitigation*.

**Hydrology/Water Quality:** Construction would include vegetation removal and slope grading within the project area to facilitate demolition and removal of the existing bridge, and construction of the replacement bridge. Removal of the existing riparian vegetation would increase the potential for slope erosion and suspended sediment load in Shady Creek. In addition, operation of mechanized equipment near Shady Creek could increase the risk of petroleum products, paints, and other construction-related chemicals accidentally entering Shady Creek and negatively impacting wildlife, groundwater, and downstream water quality. However, water quality BMPs discussed in Measure 4B and Measure 9A have been incorporated into the project design. Project-generated polluted runoff is therefore anticipated to be *less than significant with mitigation*.

**Noise:** The nearest potential noise receptor to the project site is a residence approximately 650 feet to the northeast of the project area. Construction of the project would result in a temporary increase in the noise environment. During construction of the project, noise from construction activities may intermittently dominate the noise environment in the immediate area of construction. The maximum noise levels generated (Lmax) are anticipated to be between 48 and 68 dBA, and average noise levels (Leq) are anticipated to be between 57 and 66 dBA when measured from the private residence. Although the County's Zoning Code does not apply noise standards to temporary construction, as described in measure NOI-1, work will be restricted to the hours between 7:00 am and 7:00 pm Monday through Friday, and 8:00 to 6:00 pm on Saturday, in accordance with standard noise practices to further lower noise effects. Exposure of persons to noise levels in excess of the County's adopted standards would therefore be *less than significant with mitigation*.

**Tribal Cultural Resources:** To determine if any tribal cultural resources are located in the project area, a record search was conducted through the North Central Information Center, the Native American Heritage Commission reviewed the Sacred Lands File, an archaeologist conducted a pedestrian surface survey of the project site, and local Native American tribes were contacted for input on potential project impacts to tribal resources. No tribal cultural resources were identified in any of these investigations. However, as with any project that involves subsurface excavation, there is the potential for accidental discovery of previously unidentified resources. Measure 5A addressing accidental discovery of cultural resources has been incorporated into the project design to reduce potential project-related impacts to tribal resources to *less than significant with mitigation*.

**COMMENTS RECEIVED:** The Initial Study was circulated to various agencies and surrounding property owners for comment for a 30-day period, from April 17 to May 17, 2017. Comments were received from two State agencies and three residents (shown in Attachment 2, Appendix E). All comments are addressed in Appendix E to the Initial Study. None of the commenters raised concerns that were not adequately addressed in the Initial Study, and no revisions to the Initial Study are necessary. Staff notes that residents did express a concern that the proposed bridge was not necessary and would contribute to higher traffic speeds with the widening of the bridge. However, the widening is necessary in order to meet State standards for bridge functionality. A one-lane bridge may provide minimal traffic slowing, but is also less safe in terms of emergency access. Improvements approaching each side of the bridge have been designed to minimize increases in vehicle speeds through the project limits.

**RECOMMENDATIONS:** Staff recommends the Nevada County Board of Supervisors take the following actions after reviewing and considering the proposed Mitigated Negative Declaration:

1. Adopt the proposed Mitigated Negative Declaration pursuant to Section 15074 of the California Environmental Quality Act, making the following findings:

- A. That the Board has received and considered the proposed Initial Study/Mitigated Negative Declaration together with the comments received during the public review process, attached hereto in Attachment 2; and
- B. That the modification to the project description to reduce to bridge width from approximately 32 to 27 feet will not result in any new avoidable significant effects pursuant to CEQA Section 15073.5; and
- C. That, based on the entire record before the Board, there is no substantial evidence that the proposed project might have any significant adverse impact on the environment; and
- D. That the proposed Mitigated Negative Declaration reflects the independent judgment of the Board of Supervisors; and
- E. That the location and custodian of the documents which constitute the record of these proceedings is the Nevada County Department of Public Works, 950 Maidu Avenue, Nevada City, California.

**Item Initiated by:** Jessica Hankins, Public Works Project Manager

**Approved by:** Trisha Tillotson, Director of Public Works

**Attachments:**

1. Project Location Map
2. Resolution: Mitigated Negative Declaration/Initial Study (Exhibit A), including Mitigation Monitoring and Reporting Program (Appendix D in Exhibit A) and Response to Comments (Appendix E in Exhibit A)

TT:JH:kw

Submittal Date: May 24, 2017