



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
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NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: February 26, 2019

TO: Board of Supervisors

FROM: Jessica Hankins, Public Works Project Manager

SUBJECT: **Resolution Authorizing Environmental Clearance for the Federal Lands Access Program (FLAP) Donner Pass Road Improvement Project**

RECOMMENDATION: Approve the attached Resolution.

FUNDING: The project is funded through the Federal Lands Access Program, with local match provided in Fiscal Years 2018/19 and 2019/20 Discretionary Road Funds. No impact to the General Fund will occur and no budget amendment is needed as a result of this environmental exemption.

BACKGROUND: This project is part of the Federal Lands Access Program, which seeks to improve transportation facilities that provide access to Federal lands. The project is located on 6.5 miles of Donner Pass Road between the Soda Springs exit (Interstate 80 Exit 174) and the Truckee town limits east of the summit. The project consists of comprehensive road rehabilitation, widening for four-foot bicycle lanes/shoulders on the west side of the summit and as feasible on the east side of the summit, improved road drainage, and improved parking for trail, rock climbing, and sightseeing of cultural features. The project is not intended to increase road capacity or to realign the road.

The Central Federal Lands Highway Division (CFLHD) is the lead Federal agency for the project. CFLHD has prepared a Categorical Exclusion (CE) per 23 Code of Federal Regulations 771.117 (d13) for National Environmental Policy Act (NEPA) requirements. The CE found that there would be no impacts with the standard environmental commitments from Standard Specifications FP-14 or Special Contract Requirements, which include but are not limited to the following:

- erosion and sedimentation control
- using only approved right-of-way for equipment and material storage
- halting work if archaeological or paleontological specimens are encountered
- marking all utilities prior to construction
- maintaining a spill prevention plan
- preventing spread of noxious weeds
- maintaining a dust-free traveled way

- maintaining traffic control
- preconstruction nesting bird surveys
- preconstruction environmental awareness training for construction personnel
- preconstruction Sierra Nevada Foothill Yellow-Legged Frog surveys

CFLHD has completed Section 7 consultation with the U.S. Fish and Wildlife Service for special-status species with the potential to occur in the project area, Section 106 consultation with the California Office of Historic Preservation for the project's potential effects on historic properties, and Tribal consultation with local tribes. The project will be constructed under a Clean Water Act Section 401 Water Quality Certification from the State Water Resources Control Board, a Clean Water Act Section 402 National Pollutant Elimination Discharge System permit from Lahontan and Central Valley Regional Water Quality Control Boards, and a Clean Water Act Section 404 Nationwide Permit from the U.S. Army Corps of Engineers.

The Public Works Department has reviewed the project for compliance with the California Environmental Quality Act (CEQA) and has identified the project as a Class 1 project under Article 19, Section 15301(c) and a Class 4 project under Article 19, Section 15304(h). Class 1 projects consist of repair and maintenance of existing streets, and Class 4 project consist of the creation of bicycle lanes in existing rights-of-way. The project is therefore categorically exempt from the provisions of CEQA, per Section 15301(c) and 15304(h) of the State CEQA Guidelines. A Notice of Exemption will be filed with the Nevada County Clerk's Office upon approval by the Nevada County Board of Supervisors.

Item Initiated by: Jessica Hankins, Public Works Project Manager
Approved by: Trisha Tillotson, Director of Public Works

TT:JH:kk

Submittal Date: February 5, 2019