

Staff Report 02

APPLICANT:

California Department of Transportation

PROPOSED ACTION:

Termination of existing Public Agency Permit and Right-of-Way Map and Issuance of a new Public Agency Permit and Right-of-Way Map

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River adjacent to Highway 162, near Butte City, Glenn County.

AUTHORIZED USE:

Use of a 400-foot-wide right-of-way for a bridge crossing.

TERM:

Continuous use, plus 1 year, beginning December 17, 2020.

CONSIDERATION:

Reasonable value of the right-of-way to be deposited into the State Parks and Recreation Fund.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6210.3, 6216, and 6301; Streets and Highways Code section 101.5.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On October 5, 1959, the Commission authorized an easement for a right-of-way required for a bridge crossing the Sacramento River, serving State Route 162, Glenn

County, to the State Division of Highways ([Item 8, October 5, 1959](#)). The Applicant is applying for a new Public Agency Permit and Right-of-Way Map pursuant to section 101.5 of the Streets and Highways Code and as authorized by section 6210.3 of the Public Resources Code, for the continued use of the right-of-way and the Butte City Bridge Replacement Project (Project).

On October 20, 2003, the Commission authorized an amendment of the lease to the Applicant to construct a series of four rock groins and placement of rock slope protection to control erosion that was threatening the stability of the shallow bridge supports. The groins are located on the westerly bank upstream of the bridge and are approximately 150 to 200 feet apart varying from 20 to 65 feet long. Rock slope protection was placed along the westerly riverbank downstream of the bridge ([Item C02, October 20, 2003](#)). The Applicant proposes to include the groins and rock slope protection in the new 101.5 Right-of-Way Map.

The purpose of the Project is to address the current structural and seismic deficiencies of the existing bridge that the Applicant determined has reached the end of its useful life. The Project consists of constructing a new bridge and removing the existing bridge.

The new bridge would be constructed in two stages adjacent to the existing bridge. The first stage would include the installation of temporary pilings in the river to support the construction of a temporary trestle structure to facilitate equipment staging and operation for the construction of the new bridge. Traffic will be routed on to the new bridge upon its completion.

The second stage would include installing temporary pilings and constructing a trestle to stage and operate equipment for the demolition and removal of the existing bridge and support structures. The Sacramento River at SR 162 flows year-round.

The Project will occupy the entire width of the river. Construction of the new bridge and removal of the existing bridge will create a public safety hazard and require contractors to restrict boating down the river and access to the river within the construction zones for approximately 2 years. Signage shall be required to advise the public of limitations on access and boating during construction.

Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (article X, section 4), a condition of statehood in the Act of Admission of the State of California into the Union (9 Stat. 452, Sept. 9, 1850), and a responsibility of all involved public agencies pursuant to the common law Public Trust Doctrine. Often the most logical location for access to a waterway is where a bridge crosses it. Kayakers, rafters, and others may legally

utilize the public access easements around bridges to enter and exit navigable waterways. With those factors in mind, the legislature adopted three code sections in 1972 to facilitate increased public access around bridges (Sts. & Hy. Code, §§ 84.5, 991, and 1809). All state or county highway projects and all city street projects that propose construction of a new bridge over a navigable waterway must consider, and report on, the feasibility of providing public access for recreational purposes to the waterway before the bridge is constructed. These code provisions apply to state agencies and city and county governments that approve bridge construction projects.

The Applicant has evaluated and determined that providing public access to the Sacramento River within the project limits is not feasible because SR 162 is an access-controlled corridor that does not permit pedestrian or bicycle traffic and shoulder parking for river access would be unsafe to the public. The existing right-of-way controlled by the Applicant is for the bridge structures, and access to the river from the upland highway right-of way is inaccessible through the adjacent landowners. River access is available approximately 0.5 mile upstream of the bridge, on the left bank, at a Glenn County-maintained boat launch facility. Any restrictions on public access due to the Project are anticipated to be lifted with the final decommissioning of the existing bridge structure.

The permit does not alienate the State's fee simple interest and does not grant the permittee exclusive rights to the right-of-way. Furthermore, Highway 162 is vital infrastructure that is necessary to facilitate the movement of goods, people, and services throughout the State. Staff believes this use of State land, by a public agency for a public benefit, is in the best interests of the State.

CLIMATE CHANGE:

The project area is not tidally influenced and therefore, would not be subject to sea-level rise. However, as stated in *Safeguarding California Plan: 2018 Update* (California Natural Resources Agency 2018), climate change is projected to increase the frequency and severity of natural disasters related to flooding, drought, and storms. In rivers, more frequent and powerful storms can result in increased flooding conditions and damage from storm-created debris. Conversely, prolonged droughts could dramatically reduce river flow and water levels, leading to loss of public access and navigability. Climate change will further influence riverine areas by changing erosion and sedimentation rates, and flooding and storm flow, as well as runoff, will likely increase scour, decreasing bank stability at a faster rate.

The proposed project as described above includes replacement of the existing Butte City Bridge over the Sacramento River. The rebuilt bridge will be designed to

meet current seismic retrofit standards, will be built with a deck height and foundational piers designed to withstand a 100-year flood event, and will include fewer vertical pier columns in the river channel for enhanced channel volume and conveyance of flood water. Existing rock slope protection is located along the west riverbank just upriver of the bridge that will continue to protect the bank and bridge foundation. The current project will reduce the likelihood of severe structural degradation to the bridge.

CONCLUSION:

For the reasons stated above, staff believes the approval of the proposed right-of-way will not substantially impair the public rights to navigation, fishing, or other Public Trust needs and values at this location, except for the limited construction period of 2 years; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon termination of the permit, the permittee has no right to a new permit or to renewal of any previous permit.
2. This action is consistent with Strategy 1.1 of the Commission's Strategic Plan to deliver the highest levels of public health and safety in the protection, preservation, and responsible economic use of the lands and resources under the Commission's jurisdiction.
3. The Applicant has filed a map showing the new right-of-way with the Commission.
4. Section 101.5 of the Streets and Highways Code requires the Applicant to determine the reasonable value of the proposed right-of-way and to deposit that amount in the State Parks and Recreation Fund.
5. The land uses near the bridge are agricultural and industrial.
6. A Mitigated Negative Declaration, State Clearinghouse No. 2019039046, was prepared by the California Department of Transportation and adopted on May 1, 2019, for this project. Commission staff has reviewed this document and prepared an independent Mitigation Monitoring Program (attached, Exhibit C)

that incorporates the California Department of Transportation document and other avoidance and minimization measures that were made a condition of its approval.

7. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. Based upon staff's consultation with the persons nominating such lands and through the California Environmental Quality Act (CEQA) review process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

EXHIBITS:

- A. Site and Location Map
- B. Section 101.5 Right-of-Way Map
- C. Mitigation Monitoring Program

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2019039046, was adopted by the California Department of Transportation, and mitigation measures and avoidance and minimization measures were made a condition of approval, on May 1, 2019, for this project; that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgment, the scope of activities to be carried out under the permit to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or the State CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

Adopt the Mitigation Monitoring Program, as contained in the attached Exhibit C.

SIGNIFICANT LANDS:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the approval of the proposed permit and right-of-way map will not substantially impair the public rights to navigation, fishing, or other Public Trust needs and values at this location, except for the limited construction period; and is in the best interests of the State.

AUTHORIZATION:

1. Authorize a termination, effective December 16, 2020, of Lease Number PRC 2470, a Public Agency Permit and Right-of-Way Map issued to the California Department of Transportation.
2. Authorize a Public Agency Permit and approve a Right-of-Way Map as submitted by the California Department of Transportation pursuant to section 101.5 of the Streets and Highways Code and as authorized by section 6210.3 of the Public Resources Code, effective December 17, 2020 for a permanent right-of-way with a term of continuous use plus 1 year and completion of construction, for the replacement of the existing bridge structure with a new bridge structure over the Sacramento River, as shown on Exhibits A and Exhibit B (for reference purposes only), attached and by this reference made a part hereof.

SITE



LOCATION



Exhibit A

A map of California with county boundaries. A red arrow points to a location in the Central Valley, labeled "SITE".

TS 11/23/2020

PROJECT ID: 9312000052

EXHIBIT C
CALIFORNIA STATE LANDS COMMISSION
MITIGATION MONITORING PROGRAM
BUTTE CITY BRIDGE REPLACEMENT PROJECT
(A2464, State Clearinghouse No. 2019058085)

The California State Lands Commission (Commission or CSLC) is a responsible agency under the California Environmental Quality Act (CEQA) for the Butte City Bridge Replacement Project (Project). The CEQA lead agency for the Project is the California Department of Transportation (Caltrans).

In conjunction with approval of this Project, the Commission adopts this Mitigation Monitoring Program (MMP) for the implementation of mitigation measures for the portion(s) of the Project located on State-owned sovereign land. The purpose of a MMP is to impose feasible measures to avoid or substantially reduce the significant environmental impacts from a project identified in an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND). State CEQA Guidelines section 15097, subdivision (a), states in part:¹

In order to ensure that the mitigation measures and project revisions identified in the EIR or negative declaration are implemented, the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.

The lead agency adopted an MND, State Clearinghouse No. 2019058085, and adopted mitigation measures for the Project (Attachment C-1). In addition, the MND included avoidance and minimization measures that reduced impacts to environmental resources (Attachment C-2). The lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the MND. The Commission's action and authority as a responsible agency apply only to the mitigation measures listed in Table C-1 below. The full text of the mitigation measures, as set forth in the MND prepared by the CEQA lead agency, is incorporated by reference in this Exhibit C.

¹ The State CEQA Guidelines are found at California Code of Regulations, title 14, section 15000 et seq.

Table C-1. Project Impacts and Applicable Mitigation Measures

| Potential Impact | Mitigation Measure (MM)² |
|--|---|
| Stream Habitat | MM BIO-5: The removal of the fenders and wood piles from the river should result in a reduction of salmonid predation in this area and will increase the amount of aquatic habitat. |
| Special-Status Fish and Fish Habitat | MM BIO-6: Caltrans will follow the measures and recommendations in the National Marine Fisheries Service Biological Opinion for the project. |
| Migratory Birds and Roosting Bats | MM BIO-8: Caltrans will implement avoidance and minimization measures to reduce potential impacts on migratory birds and roosting bats protected under the Migratory Birds Treaty Act. Bat roosting habitat will be added to the new bridge. |
| In addition, a list of avoidance and minimization measures that further minimize impacts to environmental resources within Commission jurisdiction is contained in Attachment C-2. | |

No mitigation measures were proposed for the unanticipated discovery of cultural or tribal resources; however, the following measure is required on Commission lands:

Title to all archaeological sites, historic or cultural resources, and tribal cultural resources on or in the tide and submerged lands of California is vested in the state and under California State Lands Commission (Commission) jurisdiction. The final disposition of archaeological, historical, and tribal cultural resources recovered on State lands under Commission jurisdiction must be approved by the Commission.

² See Attachment C-1 for the full text of each MM taken from the MND prepared by the CEQA lead agency.

ATTACHMENT C-1
Mitigation Measures Adopted by
Caltrans

Mitigated Negative Declaration

Pursuant to: Division 13, California Public Resources Code
SCH: 2019039046

Project Description

The California Department of Transportation (Caltrans) proposes to replace the Sacramento River Bridge (Bridge No. 11-0017) on State Route (SR) 162 at postmiles 76.3 through 78.6 in Glenn County.

Determination

Caltrans has prepared an Initial Study for this project, and following public review, has determined from this study that the proposed project would not have a significant impact on the environment for the following reasons:

- The proposed project would have no effect with regard to coastal zone, growth, land use and planning, mineral resources, population and housing, public services, recreation, and tribal cultural resources.
- The proposed project would have less-than-significant impacts with regard to aesthetics, agriculture and forest resources, air quality, cultural and paleontological, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, transportation and traffic, and utilities and service systems.
- With the following mitigation measures incorporated, the proposed project would have less than-significant impacts with regard to biology.

Measure BIO-1: Compensate for the Loss of Valley Elderberry Longhorn Beetle Habitat

Caltrans proposes to compensate for adverse effects on VELB through the purchase of VELB mitigation credits at a USFWS-approved mitigation bank.

Elderberry Total Mitigation

| Alternatives | Riparian | Credits | Non-Riparian | Credits |
|--------------|----------|---------|--------------|---------|
| A2 | 2.21 | 53 | 8.21 | 199 |
| C2 | 4.54 | 110 | 23.48 | 569 |
| D | 4.66 | 113 | 19.95 | 483 |

In total, Caltrans proposes to compensate for 252 credits for Alternative A2, 678 credits for Alternative C2, and 596 credits for Alternative D. Compensation and measures are further discussed in Appendix G, USFWS Biological Opinion.

Measure BIO-2: Compensate for the Permanent Loss of Riparian Forest (which includes SRA cover)

Caltrans proposes to implement compensatory mitigation for the permanent loss of 0.072 acre of riparian habitat through on-site mitigation. If on-site mitigation is not feasible mitigation credits will be purchased to ensure no net loss of riparian habitat. Compensation and measures are further discussed in Appendix H, NMFS Biological Opinion.

Measure BIO-3: Compensate for Loss of Oak Woodland Habitat

If compensation is required beyond the on-site restoration and enhancement, Caltrans will develop an Oak Woodland Mitigation Plan to provide compensatory mitigation for the permanent conversion of oak woodland as a result of the project.

Measure BIO-4: Compensate for Loss of Wetlands and Non-Wetland Waters

Caltrans will provide compensatory mitigation for the project-related permanent and temporary loss of wetlands and non-wetland waters. Final compensatory ratios will be determined during the permitting process to ensure no net loss.

Measure BIO-5: Compensate for the Temporary Effects to and Permanent Loss of Stream Habitat

CDFW has identified the Butte City Bridge as an above average mortality area for salmonids due to the wooden fenders acting as a refuge for predatory fish species such as largemouth bass. The removal of the fenders and the wood piles from the river should result in a reduction of salmonid predation in this area and will increase the amount of aquatic habitat.

Measure BIO-6: Minimize Affects to Special-Status Fish and Fish Habitat

Caltrans proposes to follow the measures and recommendations discussed in the NMFS Biological Opinion (App. H) to ensure minimization of effects to special-status fish and their habitats.

Measure BIO-7: Compensate for the Effects to Western Yellow-Billed Cuckoo Habitat

Caltrans proposes to complement compensatory mitigation for permanent impacts to riparian YBCU foraging habitat through on site replacement of impacted habitat. If on site mitigation is not feasible, mitigation credits will be purchased to ensure no net loss of riparian habitat.

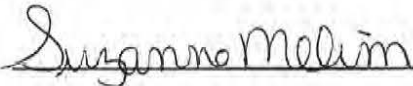
Measure BIO-8: Avoidance and Minimization for the Effects to Migratory Birds, Special-Status and Non-Special-Status Roosting Bats

Caltrans will implement avoidance and minimization measures to reduce potential impacts on migratory birds and roosting bats protected under the MBTA. Bat roosting habitat will be added to the new bridge.

Measure BIO-9: Avoidance and Minimization for the Effects to Swainson's Hawk
Species specific measures, such as pre-construction surveys will be implemented to avoid and minimize effects on Swainson's Hawks.

Measure BIO-10: Compensate for Disturbance and Loss of Riparian Communities

Caltrans will implement compensatory mitigation for the permanent loss of riparian forest by implementing a riparian habitat mitigation plan that results in no net loss of riparian functions. *(The following measure was previously part of BIO-2. The measures have been separated for clarity)*

_____

Suzanne Melim, Chief
North Region, Environmental Services, South

Date

ATTACHMENT C-2

Caltrans Avoidance and Minimization Measures

Butte City Bridge Replacement Project
Avoidance and Minimization Measures Within CSLC Jurisdiction¹

| Environmental Resource | Avoidance and Minimization Measure |
|-------------------------------|---|
| Aesthetics | Nearby bridges should be examined for their aesthetic characteristics. Materials, texture, and colors have already been established at those locations and should be continued and included on the bridge for this project. |
| | Choose railing that complements the surrounding area and allows views of the river and nearby landscape from the bridge. |
| Air Quality | The construction contractor must comply with the 2015 Caltrans Standard Specifications in Section 14. Section 14-9.02 specifically requires compliance by the contractor with all applicable laws and regulations related to air quality, including the Glenn County Air Pollution Control District regulations and local ordinances. |
| | Construction equipment and vehicles will be properly tuned and maintained. All construction equipment will use low sulfur fuel as required by CA Code of Regulations Title 17, Section 93114. |
| Biological Resources | Prior to the demolition of the existing bridge, exclusion devices will be installed to prevent birds from nesting on the bridge. Regular inspections will occur by a qualified biologist to ensure that the exclusion is functioning properly. |
| Nesting Birds | |
| Roosting Bats | Exclusion measures will be required for roosting bats prior to the demolition of the existing bridge. Exclusion of bats from roost sites will be done after August 15 and prior to April 15 to avoid impacts to maternity colonies. Exclusion will be accomplished using physical exclusion methods, acoustic exclusion, or a combination of both. |
| | Acoustic surveys will be conducted for bats in the summer of 2019 to verify the species of bats present and to estimate the size of the population occupying the bridge, so as to establish appropriate work windows and to install appropriate amounts of bat habitat into the new bridge. |
| | Potential options to mitigate noise impacts to bats include temporary sound walls that do not impact bat flight patlis and/or bat exclusion during the length of pile driving activities. If bats are excluded prior to the installation of bat habitat on the new bridge, temporary bat boxes will be installed to provide interim roosting habitat. |
| | A qualified biologist will monitor during construction as needed. |
| | Bat habitat will be installed into the new bridge to replace habitat lost in the existing bridge. |

¹ Measures were taken from the Butte City Bridge Replacement Project Initial Study/Mitigated Negative Declaration.

| Environmental Resource | Avoidance and Minimization Measure |
|--------------------------|--|
| Aquatic Sound | Furnish, install, operate, and maintain an aquatic sound attenuation system to reduce noise generated by driving 60-inch piles in the water. |
| | <p>With approval from the NMFS, the USFWS, and CDFW, the following aquatic sound attenuation systems may be used:</p> <ul style="list-style-type: none"> • Air bubble curtain used with isolation casing (confined air bubble curtain) • De-watered attenuation casing • De-watered cofferdam |
| | <p>The contractor will be required to submit working drawings and the supplement for sound attenuation system to the Caltrans Engineer, and shall include the following:</p> <ul style="list-style-type: none"> • Complete details of the system including mechanical and structural details • Details of anchorage components, air compressors, supply lines, distribution manifolds, aeration pipes and frames • Details of proposed means of isolating noise-producing systems on the driving platform • Details of meters gauges, and recording devices • Details of the manufacturer's recommendations for the installation of the flow meters in conditions of laminar flow and non-laminar flow. |
| | <p>The supplement to the working drawings shall include the following:</p> <ul style="list-style-type: none"> • Documentation of previous successful use of the system to be used for sound attenuation • Materials list including name of manufacturer and the source, model number, description, and standard of manufacture • Manufacturer's descriptive data and catalog cuts for all products proposed for the system including air compressors |
| | Sheet piles used for cofferdams will be installed and removed using a vibratory pile driver. |
| Aquatic Invasive Species | Caltrans or its contractors will coordinate with the CDFW invasive species program to ensure that the appropriate BMPs are implemented to prevent spread or introduction of AIS (aquatic invasive species). To the extent feasible, prior to departure of vessels from their place of origin and before in-water construction equipment is allowed to operate within waters of the Sacramento River, thoroughly inspect and remove and dispose of all dirt, mud, plant matter, and animals from all surfaces that are submerged or may become submerged, or places where water can be held and transferred to the surrounding water. |
| In-Water Work Window | The recommended in-water work for avoiding effects to listed salmonids and green sturgeon in the Sacramento River is between June 1 and October 15. Any work occurring below the |

| Environmental Resource | Avoidance and Minimization Measure |
|----------------------------------|---|
| | OHWM of the Sacramento River within the project site, including barge operation, cofferdam installation and removal, and removal and installation of piles and the new fender system, shall occur within this work window of any construction season, unless earlier or later dates for in-channel construction activities are approved by CDFW, USFWS, and NMFS. |
| Fish Relocation | A fish relocation plan will be submitted to NMFS for approval prior to the start of in-water work. |
| Environmental Awareness Training | Before any work occurs in the project area including grading and tree removal, Caltrans will retain a qualified biologist (familiar with the resources to be protected) to conduct a mandatory contractor/worker environmental awareness training for construction personnel. |
| BMPs | An "emergency response plan" will be prepared and submitted to NMFS and CDFW for review and approval at least 14 days prior to conducting any construction work. A spill prevention control and countermeasures plan will be onsite and in place to handle any topside spills. |
| | BMPs for spill containment measures (plastic sheeting, absorbent pads and/or other containment devices) will be utilized during all barge-mounted construction activities. BMPs will be deployed around and beneath all over-water or barge-mounted construction equipment. Supplemental equipment will be on-site to collect and remove any spills. |
| | Caltrans will require the construction contractor to monitor turbidity levels in the Sacramento River during in-water construction activities (e.g., pile driving, extraction of temporary sheet piles used for cofferdams, placement of RSP). If it is determined that turbidity levels exceed the 20% threshold, then Caltrans and/or its contractors will adjust work to ensure that turbidity levels do not exceed the 20% threshold. |
| | <p>The following BMPs will control turbidity and sediments re-entering the water column during removal of existing fender timber piles and removal of any temporary sheet pile cofferdams, and prescribe debris capture and disposal of removed piles and debris.</p> <ul style="list-style-type: none"> • Vibratory extraction is the preferred method of pile removal. • The crane operator shall be trained to remove pile slowly. This will minimize turbidity in the water column as well as sediment disturbance. • The operator shall "Wake up" the pile to break up bond with sediment. • The operator shall vibrate the pile to break the skin friction bond between the pile and the soil. Bond breaking avoids pulling out a large block of soil — possibly breaking off the pile in the process. Usually there is little or no sediment attached to the skin of the pile during withdrawal. In some |

| Environmental Resource | Avoidance and Minimization Measure |
|----------------------------|--|
| | <p>cases material may be attached to the pile tip, in line with the pile.</p> <ul style="list-style-type: none"> • Extraction equipment shall be kept out of the water. A creosote release to the environment may occur if equipment (bucket, steel cable, vibratory hammer) pinches a creosoted piling below the water line. Pilings must not be broken off intentionally by twisting, bending or other deformation. This practice has the potential for releasing creosote to the water column. • The work surface on the barge deck or pier shall include a containment basin for piles and any sediment removed during pulling. Upon removal from the substrate, the pile shall be moved expeditiously from the water into a containment basin. The pile shall not be shaken, hosed off, stripped or scraped off, left hanging to drip, or any other action intended to clean or remove adhering material from the pile. • The barge or pier work surface and containment basin shall be cleaned by disposing of sediment or other residues along with removed pilings in a manner complying with applicable federal and state regulations. |
| | Implement a coffer dam dewatering plan that will include measures to decrease sedimentation, such as settling tanks, before discharge. |
| Cultural Resources | If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area will be diverted until a qualified archaeologist can assess the nature and significance of the find. |
| | If human remains are discovered, California Health and Safety Code (H&SC) Section 7050.5 states that further disturbances and activities shall stop in any area or nearby area suspected to overlie remains, and the County Coroner contacted. If the remains are thought by the coroner to be Native American, the coroner will notify the NAHC, who, pursuant to PRC Section 5097.98, will then notify the Most Likely Descendent (MLD). At this time, the person who discovered the remains will contact Caltrans District 3 so that they may work with the MLD on the respectful treatment and disposition of the remains. Further provisions of PRC 5097.98 are to be followed as applicable. |
| Hazardous Materials | A hazardous materials survey will be conducted prior to demolition or significant renovation. If lead or asbestos is found in these structures, an abatement plan will be developed prior to removal or renovation. The abatement plan will provide for a California-certified asbestos consultant and California Department of Health Services—certified lead project designer to prepare hazardous materials specifications for abatement of the asbestos-containing materials and lead-based paint. This specification should be the basis for selecting qualified contractors to perform |

| Environmental Resource | Avoidance and Minimization Measure |
|-------------------------------|--|
| | the proposed asbestos and lead abatement work. Caltrans will retain a California-licensed asbestos abatement contractor to perform the abatement of any asbestos-containing construction materials and lead-based paint deemed potentially hazardous. Abatement of hazardous building materials will be completed prior to any work on these structures. |