

From: Pulverman, Joshua@DOT <josh.pulverman@dot.ca.gov>
Sent: Tuesday, July 29, 2014 9:03 AM
To: BDCP.comments@noaa.gov
Cc: Enos, Cassandra@DWR; scott.morgan@opr.ca.gov
Subject: BDCP Comment Letter from Caltrans
Attachments: BDCP DEIR_DEIS Caltrans Comments 7_29_14.pdf; (Attachment 1) District 4 - 2013 Response Letter to Administrative Draft.pdf; (Attachment 2) BDCP Admin DEIR Response to Caltrans Comments.pdf

Good morning,

Please find attached Caltrans comments on the Draft Bay Delta Conservation Plan and associated Draft Environmental Impact Report and Draft Environmental Impact Statement. Please contact this office if there are any questions.

Thank you,

Joshua Pulverman

Statewide LD-IGR Coordinator
Assoc. Trans Planner, Office of Community Planning
Caltrans Div. of Transportation Planning
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Plans are nothing; planning is everything
Dwight D. Eisenhower

DEPARTMENT OF TRANSPORTATION**DIVISION OF TRANSPORTATION PLANNING**

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*Serious Drought.
Help save water!*

July 29, 2014

Mr. Ryan Wulff
National Marine Fisheries Services
650 Capitol Mall, Suite 5-100
Sacramento, CA 95814

Dear Mr. Wulff:

Thank you for the opportunity to review and provide comments on the Draft Bay Delta Conservation Plan (Plan) and associated Draft Environmental Impact Report (DEIR) and Draft Environmental Impact Statement (DEIS) SCH# 2008032062. The Plan is a comprehensive conservation strategy for the Sacramento-San Joaquin Delta designed to restore and protect ecosystem health, water supply, and water quality within a stable regulatory framework. This would occur through new and/or modified State water conveyance facilities (twin tunnel water diversion project) and operation of the State Water Project and the federal Central Valley Project, conservation, protection, restoration, and enhancement of habitats for native fish, wildlife, and plants within the Delta, and through adaptive management of water conveyance facilities operations; the protection, restoration and enhancement of habitats; and measures to reduce other ecological stressors.

This project has a number of effects and impacts on the State Highway System (SHS), especially during the construction phase. We appreciate the continued interagency coordination and cooperation with the Department of Water Resources (DWR) which met with us on May 30, 2014, and June 17, 2014, to discuss various areas of concern. We appreciate the efforts of the DWR staff to make locating specific information within the environmental documents easier, and look forward to reviewing the information table outlining the specific locations of various sections and material.

As referenced in the DEIR Chapter 19 Section 19.1.2 (Roadway Facilities) and table 19-1 (Roadway Study Segments), a total of 114 roadway segments would be impacted by construction-related activities associated with preferred alternative 4 (Dual Conveyance with Modified Pipeline/Tunnel and Intakes 2, 3, and 5). Seven of these segments are State and federal highways which cover portions of three California Department of Transportation (Caltrans)

Mr. Ryan Wulff
 July 29, 2014
 Page 2

districts: 3, 4, and 10 including Interstate (I-) 5, I-80, I-205 and State Routes (SR) 4, 12, 84, 113, 160. Below are Caltrans' comments and concerns regarding the DEIR and DEIS:

Memorandum of Agreement (MOA) for Analysis and Mitigation

As discussed at our meeting on June 17, 2014, Caltrans will partner with DWR to develop a Memorandum of Agreement (MOA) which will detail the stipulations for analysis and mitigation for the SHS as it pertains to this project. The MOA will formalize a universal interagency working arrangement with all affected Caltrans districts.

The purpose of the MOA is to allow for the deferment of the traffic analysis and impact mitigation requirements until the construction contract and scope of work have been established. The MOA will be prepared before the certification of the FEIR/FEIS to ensure DWR's good faith effort to mitigate for yet to be identified traffic impacts from construction. The content addressed in this letter will be subject to the terms of the MOA.

The current mitigation measures related to transportation include:

- Mitigation Measure TRANS-1a: Implement site-specific construction traffic management plan
- Mitigation Measure TRANS-1b: Limit Hours or Amount of Construction Activity on Congested Roadway Segments
- Mitigation Measure TRANS-1c: Make Good Faith Efforts to Enter Into Mitigation Agreements to Enhance Capacity of Congested Roadway Segments
- Mitigation Measures TRANS-2a: Prohibit Construction Activity on Physically Deficient Roadway Segments
- Mitigation Measure TRANS-2b: Limit Construction Activity on Physically Deficient Roadway Segments
- Mitigation Measure TRANS-2c: Improve Condition of Affected Roadway Segments as Stipulated in Mitigation Agreements or Encroachment Permits

Traffic Analysis Commitments

The DEIR/DEIS acknowledges impacts to the SHS in multiple locations within the document. However, some locations provide vague language that requires clarification for contractual enforcement.

- Chapter 19, Page 19-173, line 6, CEQA Conclusion: please clarify the statement "The BDCP proponents cannot ensure that the improvements will be fully funded or constructed prior to the project's contribution to the impact."
- Chapter 19, Page 19-181, lines 14-15, CEQA Conclusion: please clarify the statement "as the BDCP proponents cannot ensure that the agreements or encroachment permits will be obtained from the relevant transportation agencies."

Per our discussions on May 30, 2014, and June 17, 2014, we understand that performing a full traffic analysis for this project is challenging and poses issues, and thus information normally

Mr. Ryan Wulff
July 29, 2014
Page 3

included was not available. It is understood that such language and analysis will instead be reflected in a Traffic Management and Traffic Monitoring Plan as well as an MOA.

An ongoing concern from Caltrans is that the amount of exported material being hauled off, truck trips (and all trips) generated, is still unclear. Although most of the excavated material would be spread on the project site, we still have comments that should be addressed.

- Because subsidence could affect levee road stability, the document should state where 25 million cubic yards of native excavated material is to remain on the project site, and the height of the piles.
- The document should state how much and the routes where native excavated material is to be hauled on State facilities to offsite locations.
- The document should state how many heavily laden truck-loads of imported material are expected.
- The document should include an analysis of all trips generated by the project. It should also discuss how the analysis was concluded on assumptions of locations, quantities, directions, and proportions of total trips for employee commutes.
- Please clarify the number of workers (construction and operation).
- Please clarify where project trips will access State facilities. Via flagger on shoulder? Via local/county roads?
- The document should identify how much material may be barged elsewhere and how port operations may be affected.

Traffic Management Plan (and Traffic Monitoring Plan)

An amendable (by mutual agreement) Traffic Management Plan (TMP) for construction vehicles should be submitted to Caltrans in order to minimize the impacts to State highway facilities. Coordination of this project with other construction and maintenance activities on State Routes will be needed for the entire (perhaps nine year) duration of project construction. All potential detours must be authorized with a district specific TMP. Probable detour routes for trucks and cars when bridges are not crossable (due to scheduled maintenance) should be specifically identified.

Any hauling of materials should not occur during A.M. and P.M. peak period of travel on State facilities during demolition and construction of the proposed project. All vehicles loads should be covered so that materials do not blow over or onto the State ROW. Prior to starting a phase of work, please coordinate with appropriate district staff to determine if the heavy construction traffic will need to be staged during off peak hours and if the interchanges/intersections within the State ROW can accommodate the heavy construction traffic anticipated for each phase.

The DEIR addresses the fact that given the limited number of workers involved at the large number of sites, it is not anticipated that routine operations and maintenance activities or major inspections would result in substantial increases of traffic volumes or roadway congestion.

Mr. Ryan Wulff
July 29, 2014
Page 4

Traffic monitoring plans as outlined in Mitigation Measures TRANS-1A will be implemented during construction to determine if and how much traffic is disrupted throughout the BDCP site-specific construction operations and that mitigation measures be implemented if and when required. Please work with appropriate district staff when proposing a Traffic Monitoring Plan and mitigation measures.

Mitigation

During review of the DEIR/DEIS Caltrans notes and appreciates the inclusion of Mitigation Measure TRANS-1c: Make Good Faith Efforts to Enter into Mitigation Agreements to Enhance Capacity of Congested Roadway Segments.

Mitigation Measures TRANS 2a, 2b and 2c propose to prohibit activity on deficient roadways, and if feasible, limit activity on physically deficient segments, and improve condition of affected segments as per mitigation or encroachment permit agreements. The following State routes are expected to be operationally impacted due to already congested conditions: SR 4, I-5 (Florin Road to Pocket Road), SR 160, SR 12, SR 84, and I-80 (Suisun Valley Road to SR 12). Please identify specific locations and indicate any specialized accommodations for non-motorized users.

Highway Operations

- As the project entails digging under roadways for the Dual-Bore Tunnels, please contact the affected local transportation agencies to obtain as-built drawings that indicate location of utilities so that no service is interrupted and/or no damage occurs to existing facilities.
- Please ensure that the construction of these tunnels at 150 feet under the surface does not affect the stability of the soil beneath the SHS and the surrounding terrain.
- Indicate locations of the vent/access shafts shown in the Proposed Tunnel System with respect to the State Right of Way (ROW) limits.
- Provide staging plans if the ground surface is going to be affected during construction and notify Caltrans of impacts to traffic flow (if any).
- The realignment of SR 160 due to the proposed pumping stations may trigger Caltrans' direct involvement regarding land acquisition, potential relinquishment, and vacating State ROW. This may create the possibility of excess land disposal by the State. Cooperative and maintenance agreements, or a Memorandum of Understanding, may be needed.
- As mentioned previously, sight distance consideration would be important for the access points needed for the pumping plants. Each plant could be expected to contain two access points. The plant locations along SR 160 are positioned on relatively straight and flat sections with no apparent sight restrictions.

Recreation Access

Bike Routes

Regarding impacted bicycle routes, Plan proponents will need to provide alternate routes around construction zones as well as provide signage and barricades for provision of detours around

Mr. Ryan Wulff
July 29, 2014
Page 5

construction sites. In addition, as per Chapter 15 of the Plan DEIR, there are project commitments to possibly enhance bicycle access to the Delta and potentially convert an abandoned rail line (between Sacramento and Walnut Grove) into a bicycle path. As these individually proposed projects progress, they will need to be circulated to the appropriate Caltrans district office for review.

Parking

If constructed, 8-foot shoulders would likely be used as parking areas by fishermen and others seeking recreation along the river. Because of safety and operational concerns, Caltrans recommends prohibiting parking if shoulders are less than 11 feet wide. These areas would need to be signed with "No Parking or Stopping Any Time" signs and aggressively enforced.

Fencing

In addition, we recommend requiring that the pumping plant areas be separated from the State highway with secure fencing that prevents access by the public.

Hydrology

Proposed alternatives (1A, 2A, 3, and 4) will require construction of pipe intakes, canals, etc., from the Sacramento River. The construction of these facilities, which will cross under various State highways, is expected to impact existing highway drainage facilities and patterns. Detailed studies and plans need to be prepared to determine the impact of the proposed construction on existing highway drainage systems/patterns. Detailed plans for mitigation measures adopted to account for disruptions to any drainage facilities must be provided to each affected Caltrans district office for review.

Please state how flood stages will be affected at emergency routes if fill is increased on islands.

Concerns exist in regards to the increased turbulence the pumps might make in the river flow at the nearby bridge supports and embankments. This turbulence may cause additional erosion around bridge supports than they were designed for.

Funding must be provided in the proposed project for any highway drainage mitigation measures. Proposed alternatives must be selected with proper allowance for future widening and expansion of the existing SHS. Any future widening or expansion projects would be outlined within the Transportation Concept Reports or Corridor System Mobility Plans written by the districts. Please contact the local district office for information regarding these reports.

Dike and Levee Maintenance, Repair and Upgrade

Activities involving demolition, reinforcement or rehabilitation of dikes or levees on which transportation facilities are built may potentially affect state transportation facilities. Also, built features on top of dikes and levees may contribute additional engineering considerations related to weight loading or compaction. These factors must be addressed through geotechnical and hydrological studies conducted in coordination with Caltrans at the project level.

Mr. Ryan Wulff
July 29, 2014
Page 6

Mitigation Monitoring

California Public Resources Code (PRC) Section 21081.7 directs CEQA lead agencies to submit transportation reporting or monitoring information to Caltrans for a project of statewide, regional, or areawide significance. Caltrans has prepared guidance to establish clear and consistent procedures for public agencies to submit transportation mitigation reporting or monitoring information to Caltrans.

Please refer to the following link for more information:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/Submittal_Guidelines_Mit_and_Mon_CovCkCert_07092004.pdf

Landscape Architecture

Previous comments provided by Caltrans on July 5, 2013 regarding the BDCP Administrative Draft EIR/EIS (attachment 1) were not adequately addressed in the BDCP Administrative Draft Response to Comments (Attachment 2). Please ensure that prior comments regarding Landscape Architecture are considered and incorporated.

The response to Caltrans comment #8 in the BDCP Administrative Draft Response to Comments states that vegetative restoration of disturbed areas would be carried out in accordance with guidance given by DWR Water Resource Engineering Memorandum No. 30a and through coordination with local agencies. However, disturbance caused by the proposed project within a State Right-of-Way (ROW) must be restored according to the following:

- Areas within the State ROW that are disturbed by project alternatives must be restored to a state of good repair consistent with the intent of meeting National Pollutant Discharge Elimination System (NPDES) and State Water Resources Control Board (SWRCB) Construction General Permit standards in terms of slope stabilization and permanent Best Management Practices.
- Existing vegetation including naturally occurring plant material and highway planting installed by Caltrans or others that are damaged or removed by project alternatives must be replaced.
- Any irrigation systems that are damaged or removed by project alternatives must be repaired or replaced.
- Plans for plant and irrigation system replacement within State ROW must be developed in consultation with and approved by the appropriate Caltrans district office.

Transportation Permit

The DEIR and DEIS addresses the fact that an increase in heavy construction traffic on State and local roadways will increase the potential for safety hazards such as conflicts with recreational and commuter traffic with farming operations. It can be inferred that said increase in heavy construction traffic will need to use State facilities to access the work sites. Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans.

Mr. Ryan Wulff
July 29, 2014
Page 7

To apply, a completed transportation permit application with the determined specific route(s) for the shipper to follow from origin to destination must be submitted to:

Caltrans Transportation Permits Office, 1823 14th Street, Sacramento, CA 95811-7119

Please see the following website for more information:
<http://www.dot.ca.gov/hq/traffops/permits/>.

Encroachment Permit

An encroachment permit must be obtained for work within, under or over the State Highway ROW. In order to maintain the integrity of the pavement, the BDCP will need to monitor and mitigate the roadway segment pavement through an encroachment permit in areas where the alternative results show an impact on a deficient roadway within the State ROW as outlined in the DEIR. Monitoring and mitigation will need to occur throughout the construction life of the project.

If any project work (e.g., storage of materials, street widening, emergency access improvements, sewer connections, sound walls, storm drain construction, street connections, landscaping, etc.) will occur in the vicinity of State ROW, an Encroachment Permit is required prior to commencement of work. Please allow 2 to 4 weeks for a complete submittal to be reviewed and for a permit to be issued. When applying for an Encroachment Permit, please incorporate Environmental Documentation, Storm Water Pollution Prevention Plan/Water Pollution Control Plan (SWPPP/WPCP), Hydraulic Calculations, Traffic Control Plans, Geotechnical Analysis, ROW certification and all relevant design details including design exception approvals. For specific details on the Department's Encroachment Permits procedure, please refer to the Departments' Encroachment Permits Manual. The proposed project area spans three Caltrans districts. If work is proposed within State ROW in three districts, separate permit applications will be required.

To apply, a completed encroachment permit application, certified environmental document for the project, and five sets of plans clearly indicating State ROW must be submitted to the Encroachment Permits office in the appropriate Caltrans district.

Any necessary mitigation measures should be incorporated into the construction plans during the encroachment permit process. Additional permit information can be found online at the following website: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

- Caltrans District 3 Encroachment Permits: 703 B Street, Marysville, CA 95901
- Caltrans District 4 Encroachment Permits: 111 Grand Avenue, 6th Floor, P.O. Box 23660, Oakland, CA 94623-0660
- Caltrans District 10 Encroachment Permits: 1976 E. Charter Way, P.O. Box 2048, Stockton, CA 95201

Mr. Ryan Wulff
July 29, 2014
Page 8

District Contacts for General Questions

For District 3 (Sacramento and Yolo Counties) questions, please contact Eric Fredericks, Chief, Office of Transportation Planning - South, at (916) 274-0635, or eric.fredericks@dot.ca.gov.

For District 4 (Contra Costa and Solano Counties) questions, please contact Erik Alm, Chief, Local Development-Intergovernmental Review, at (510) 286-6053, or erik.alm@dot.ca.gov.

For District 10 (San Joaquin County) questions, please contact Tom Dumas, Chief, Metropolitan Planning, at (209) 941-1921, or tom.dumas@dot.ca.gov.

As the project progresses, we will continue to be available to work in partnership with DWR. If you have any questions, please feel free to contact Alyssa Begley, Chief, Office of Community Planning, at (916) 651-6882.

Sincerely,



KATIE BENOUAR
Chief, Division of Transportation Planning

Attachments:

1. Caltrans BDCP Comment Letter July 5, 2013
2. BDCP EIR/EIS Review Document Comment Form

c: Scott Morgan, State Clearinghouse
Cassandra Enos-Nobriga, Department of Water Resources

