

FINAL
MITIGATED NEGATIVE DECLARATION
(with edits incorporated)

Calaveras Big Trees State Park
Visitor Center Project
SCH#: 2004072144



January 2005



State of California
DEPARTMENT OF PARKS AND RECREATION
Acquisition and Development
Northern Service Center
One Capitol Mall – Suite 500
Sacramento, California 95814

FINAL MITIGATED NEGATIVE DECLARATION

PROJECT: CALAVERAS BIG TREES STATE PARK
VISITOR CENTER PROJECT

LEAD AGENCY: California Department of Parks and Recreation (DPR)

AVAILABILITY OF DOCUMENTS:

The Initial Study for this Mitigated Negative Declaration was made available throughout the 30-day public review period at the reference desks of the Calaveras County Library - Arnold and Angels Camp Branches. It was also available at the public information desks of DPR's Northern Service Center and Central Valley District Headquarters offices and available on DPR's website (www.parks.ca.gov). The Final Mitigated Negative Declaration and all supporting materials will be available, by request, at DPR's Northern Service Center.

PROJECT DESCRIPTION:

The Department of Parks and Recreation (California State Parks) proposes to construct a Visitor Center on the grounds of Calaveras Big Trees State Park. The following is a summary of the proposed work:

- Construct a permanent, accessible visitor center of approximately 6,500 square feet;
- Install a new trailhead/assembly area adjacent to the proposed visitor center;
- Improve the existing 79-space parking area to include four Americans with Disabilities Act (ADA) spaces, including one van accessible space, and three bus parking spaces;
- Remove approximately six trees of no more than 30" diameter at breast height (dbh) to accommodate visitor center and utility placement;
- Provide utility connections to the new visitor center including water, sewer, electricity, telephone, environmental control, security/fire alarm, and telecommunications infrastructure, and install a new additional propane tank; and
- Provide low-maintenance, native plant landscaping around visitor center, over trenching areas, adjacent to pathways, and all areas disturbed by construction.

FINDINGS

An Initial Study has been prepared to assess the proposed project's potential impacts on the environment and the significance of those impacts and is incorporated in the Draft MND. Based on this Initial Study, it has been determined that the proposed project would not have any significant impacts on the environment, once all proposed mitigation measures have been implemented. This conclusion is supported by the following findings:

- There was no potential for adverse impacts on Agricultural Resources, Land Use and Planning, Mineral Resources, and Population and Housing associated with the proposed project.
- Potential adverse impacts resulting from the proposed project were found to be less than significant in the following areas: Aesthetics, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.
- Full implementation of the proposed mitigation measures included in this MND would reduce potential project-related adverse impacts on Air Quality, Biological

Resources, Cultural Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise to a less than significant level.

MITIGATION MEASURES

The following mitigation measures have been incorporated into the scope of work for the Visitor Center Project and will be fully implemented by DPR to avoid or minimize adverse environmental impacts identified in this MND. These mitigation measures will be included in contract specifications and instructions to DPR personnel involved in implementing the project.

AESTHETICS

No mitigation measures required.

AGRICULTURAL RESOURCES

No mitigation measures required.

AIR QUALITY

MITIGATION MEASURES AIR-1

- All active construction areas will be watered at least twice daily during dry, dusty conditions. Any activities that cause visible dust plumes that cannot be controlled by watering will be suspended
- All trucks hauling soil, sand, or other loose materials on public roads will be covered or required to maintain at least two feet of freeboard.
- All gasoline-powered equipment will be maintained in good mechanical condition (according to manufacture's specifications), and in compliance with all State and federal requirements.
- Excavation and grading activities will be suspended when sustained winds exceed 15 mph, instantaneous gusts exceed 25 mph, or dust from construction might obscure driver visibility on public roads.
- Disturbed areas will be re-vegetated as quickly as feasible following completion of construction.
- Earth or other material that has been transported by trucking or earth moving equipment, erosion by water, or other means onto paved streets will be promptly removed.

BIOLOGICAL RESOURCES

MITIGATION MEASURES BIO-1 – NEST PROTECTION FOR SPOTTED OWL AND NORTHERN GOSHAWK

- A DPR-qualified resource ecologist will conduct surveys for nests of spotted owl and northern goshawk to identify active nests within 0.25 miles of the project area. The surveys will be conducted during each breeding season beginning in 2004 and continued for each year of the construction period. The surveys will follow protocols approved by the California Department of Fish and Game.
- In the event that nesting spotted owls are found in the vicinity of the project area, an appropriate buffer zone with activity restrictions will be established, in

consultation with DFG. Restrictions will remain in place from February 1 to August 31.

- In the event that nesting northern goshawks are found in the vicinity of the project area, an appropriate buffer zone with activity restrictions will be established, in consultation with DFG. Restrictions will remain in place from March 15 to August 31.

MITIGATION MEASURES BIO-2 – WILDLIFE TREE RETENTION

- A DPR Resource Ecologist will identify wildlife trees on the project site during initial planning. Trees in the active construction zone will be identified with flagging and protected if necessary with fencing or weed-free straw bales. Any such tree scheduled for removal will be felled between August and April to avoid the breeding season, and left on site, if possible, to function as coarse woody debris.

MITIGATION MEASURES BIO-3 – TREE PROTECTION MEASURES

- Prior to construction, trees selected for retention will be identified, and all areas of ground disturbance will be flagged on the ground and inspected by a DPR Ecologist for potential impacts to roots, trunks and limbs
- Ground disturbing activities that will impact trees, as determined by the DPR Ecologist, will be conducted at a depth and location to avoid structural tree roots (roots > 1.5" diameter). If tree roots >1.5" diameter are encountered, then contractor will excavate by hand underneath tree roots. Alternatively, boring or trenching will go at least three feet deep to avoid mature tree roots
- DPR will replace, at a ratio of 1 per inch of diameter at breast height, all trees designated for removal
- In the event that construction work takes place next to mature retention trees, these will be protected by the contractor with safety fencing and/or certified weed-free straw bales to prevent damage to roots, trunk, and limbs
- In the event that retention trees must be removed due to damage based on an evaluation by a DPR Resource Ecologist, then the contractor will mitigate at a ratio of 1 seedling per inch of dbh for each retention tree removed as directed by a DPR Resource Ecologist.

CULTURAL RESOURCES

MITIGATION MEASURE CULT 1

- Existing mature vegetation at the proposed construction site will be retained, with limited pruning to protect the viewshed of the historic Hotel Annex building.

MITIGATION MEASURE CULT 2 – PRECONSTRUCTION TESTING

- In those areas of the APE where project redesign is impossible and ground disturbances are unavoidable, a pre-construction archaeological testing program will be implemented to determine if archaeological deposits exist below the surface. The data generated from this investigation will determine if a data recovery or archaeological monitoring will be implemented.
- If archaeological monitoring is determined to be necessary during ground-disturbing activities, the work will be conducted by and at the discretion of the DPR

archaeologist assigned to the project. The archaeological monitor will be notified a minimum of two weeks prior to the start of ground-disturbing work to schedule monitoring, unless other arrangements are been made in advance.

- A report of the findings from the testing, data recovery, or monitoring will be completed and copies distributed to the Cultural Resource Division, California State Park Headquarters; the DPR Northern Service Center; and the Central Valley District.

MITIGATION MEASURE CULT 3 – MONITORING

- In the event that previously unknown cultural resources (including but not limited to dark soil containing shellfish, bone, flaked stone, groundstone, or deposits of historic trash) are encountered during project construction by anyone, the state representative will put work on hold at that specific location and contractors will be redirected to other tasks. A DPR-qualified archaeologist will record and evaluate the find and work with state representative to implement avoidance, preservation, or recovery measures as appropriate prior to any work resuming at that specific location.
- In the event that significant cultural resources are found in a project location, a qualified historian, archaeologist, and/or Native American representative (if appropriate) will monitor all subsurface work including trenching, grading, and excavations in that area from that point forward to ensure avoidance of significant impacts to cultural resources.

MITIGATION MEASURE CULT- 4 – BURIAL SITES

- In the event that human remains are discovered, work will cease immediately in the area of the find and the project manager/site supervisor will notify the appropriate DPR personnel. Any human remains and/or funerary objects will be left in place or returned to the point of discovery and covered with soil. The DPR Sector Superintendent (or authorized representative) will notify the County Coroner, in accordance with §7050.5 of the California Health and Safety Code, and the Native American Heritage Commission (or Tribal Representative). If a Native American monitor is on-site at the time of the discovery, the monitor will be responsible for notifying the appropriate Native American authorities.

The local County Coroner will make the determination of whether the human bone is of Native American origin. In many of California's historic townsites and rural communities discoveries have been made of non-Native American human bone including non-Anglo.

If the coroner or tribal representative determines the remains represent Native American interment, the NAHC in Sacramento and/or tribe will be consulted to identify the most likely descendants and appropriate disposition of the remains. Work will not resume in the area of the find until proper disposition is complete (PRC §5097.98). No human remains or funerary objects will be cleaned, photographed, analyzed, or removed from the site prior to determination

If it is determined the find indicates a sacred or religious site, the site will be avoided to the maximum extent practicable. Formal consultation with the State Historic Preservation Office and review by the Native American Heritage Commission/Tribal Cultural representatives will also occur as necessary to define additional site mitigation or future restrictions.

GEOLOGY AND SOILS

MITIGATION MEASURES GEO-1 – EROSION CONTROL

- A Stormwater Pollution Prevention Plan will be developed outlining BMPs to be used in all areas to control soil and surface water runoff during construction activities (see Hydro 1). Grading and excavation activities will not be planned during the rainy season (October 31 to May 1), but if storms are anticipated during construction or if construction will occur during winter months, “winterizing” will occur, including the covering (tarping) of any stockpiled soils and the use of temporary erosion control methods to protect disturbed soil. Temporary erosion control measures (BMPs) will be used during all soil disturbing activities and until all disturbed soil has been stabilized (recompacted, re-vegetated, etc.) These BMPs will include, but not be limited to, the use of silt fences, straw bales, or straw or rice coir rolls, to prevent soil loss and siltation into nearby water bodies, such as Big Tree Creek.
- Permanent BMPs for erosion control will consist of properly compacting disturbed areas and revegetation of appropriate disturbed soil areas with native species using seed collected locally, where possible. Otherwise, if local seed is not available, a weed-free native mixture will be used. Final design plans will include the permanent erosion control measures to be incorporated into the project.

HAZARDS AND HAZARDOUS MATERIALS

MITIGATION MEASURES HAZMAT-1 – SPILL PREVENTION

- All equipment will be inspected by the contractor for leaks immediately prior to the start of construction, and regularly inspected thereafter until equipment is removed from park premises.
- The contractor(s) and/or DPR will prepare an emergency Spill Prevention and Response Plan prior to the start of construction and maintain a spill kit on-site throughout the life of the project. This plan will include a map that delineates construction staging areas, where refueling, lubrication, and maintenance of equipment may occur. Areas designated for refueling, lubrication, and maintenance of equipment will be at least 50 feet from any surface water body. In the event of any spill or release of any chemical in any physical form at the project site or within the boundaries of the Park during construction, the contractor will immediately notify the appropriate DPR staff (e.g., project manager, supervisor, or State Representative).
- Equipment will be cleaned and repaired (other than emergency repairs) outside the park boundaries. All contaminated water, sludge, spill residue, or other hazardous compounds will be disposed of outside park boundaries, at a lawfully permitted or authorized destination.

MITIGATION MEASURES HAZMAT-2 – CONSTRUCTION FIRE MANAGEMENT

- A fire safety plan will be developed by the contractor and approved by DPR prior to the start of construction.
- Spark arrestors or turbo-charging (which eliminates sparks in exhaust) and fire extinguishers will be required for all heavy equipment.

- Construction crews will be required to park vehicles away from flammable material, such as dry grass or brush. At the end of each workday, heavy equipment will be parked over mineral soil, asphalt, or concrete to reduce the chance of fire.
- Fire suppression equipment will also be available and located on park grounds.

HYDROLOGY AND WATER QUALITY

MITIGATION MEASURE HYDRO 1 – WATER RUNOFF

- The amount of increased runoff due to the new building, expanded paved parking lot, and pathways will be determined and an appropriately sized and designed stormwater drainage system will be installed to prevent any on- or off-site flooding.
- As part of the grading and landscaping design, surface water runoff will be directed as much as possible into existing or new stormwater drains, into a grassed or lined swale, or into other types of energy dissipation devices.
- A Storm Water Pollution Prevention Plan, and associated erosion control plan, as required by the State Water Resources Control Board, will include BMPs for control of runoff and erosion.

LAND USE AND PLANNING

No mitigation measures required.

MINERAL RESOURCES

No mitigation measures required.

NOISE

MITIGATION MEASURES NOISE-1

- Construction activities will generally be limited to the daylight hours, Monday - Friday. If work during weekends or holidays is required, no work will occur on those days before 8:00 a.m. or after 5:00 p.m.
- Internal combustion engines used for any purpose at the job site will be equipped with a muffler of a type recommended by the manufacturer. Equipment and trucks used for construction will utilize the best available noise control techniques (e.g., engine enclosures, acoustically-attenuating shields or shrouds, intake silencers, ducts, etc.) whenever feasible and necessary.
- Stationary noise sources and staging areas will be located as far from sensitive receptors as possible. If they must be located near sensitive receptors, stationary noise sources will be muffled to the extent feasible and/or, where practicable, enclosed within temporary sheds.

POPULATION AND HOUSING

No mitigation measures required.

PUBLIC SERVICES

No mitigation measures required.

RECREATION

No mitigation measures required.

TRANSPORTATION/TRAFFIC

No mitigation measures required.

UTILITIES AND SERVICE SYSTEMS

No mitigation measures required.

The following corrections, additions, and deletions have been made to the Calaveras Big Trees State Park Visitor Center Project Draft MND. Additions and corrections are underlined; strikeout indicates a deletion. Minor punctuation, spelling, and grammatical corrections that contribute to ease of understanding, but have no significant impact on the content, have not been noted.

Chapter 2, Section 2.1 Introduction, Page 6, Paragraph 1, Sentence 2 will be revised to read:

The proposed project will construct a Visitor Center of approximately ~~7,000~~ 6,500 square feet to house various interpretive and educational programs.

Change reflects final design of Visitor Center.

Chapter 2, Section 2.5 Project Description, Pages 8-9, beginning with the final paragraph on page 8 will be revised to read:

The following is a summary of the proposed work:

- Construct a permanent, accessible visitor center of approximately ~~7000~~ 6,500 square feet. The proposed visitor center will involve two separate enclosed spaces separated by an open space with a partially covered connecting canopy constructed on one level ~~with slightly varying floor heights due to site constrictions and the slope of the area.~~
 - One, approximately ~~5,000~~ 3,050 square feet "main" structure located just south and within 25 feet of the adjacent existing visitor parking will incorporate the following functions:
 - Orientation Lobby
 - Information Counter and Gift Shop
 - Audio/Visual Experience and Presentation Area
 - Interpretive Exhibit Gallery
 - ~~Public Restrooms~~
 - Administrative Office Space with Docent Workrooms
 - ~~Library and Archives Spaces~~
 - ~~Utility and Janitorial Service compartments~~
 - Separated from the main interpretive building by a connecting entrance canopy, the approximately ~~4,600~~ 2,450 square feet auxiliary interpretive building is intended to provide the following functions:
 - Meeting/Lecture/Presentation Classroom Space
 - Work Shop Laboratory
 - Artifact and Exhibit Storage Area
 - Utility and Janitorial Service Space

- Public Restrooms
 - Library and Archives Spaces
 - Utility and Janitorial Service compartments
- The open space area created between these two structures will provide the following functions:
 - Group Orientation Area
 - Outdoor Exhibit Space
 - Park Guided Tour Embarkation Point
 - Visitor Relaxation and Meeting Place
 - Scenic Overlook and Interpretation
- Install a new trailhead/assembly area adjacent to the entrance of the proposed visitor center and south of the parking lot to accommodate small and medium size group gatherings.
 - Improve the existing 79 stall parking area with the addition of four ADA accessible parking spaces, including one van accessible space; delineation of three bus parking sites; and a bus unloading area at the building entrance. An all season pedestrian pathway will extend the length of the south side of the parking lot to the new Visitor Center.
 - Remove approximately ~~three~~ six trees of no more than 30" dbh (diameter at breast height) from within the proposed building footprint to accommodate placement of the visitor center. ~~Remove an additional tree of no more than 30" dbh to accommodate placement of utility connections.~~

The above changes reflect the final design of Visitor Center.

**Chapter 3, Environmental Checklist, Project Information, Page 12, Item 8,
Description of Project will be revised to read:**

The Department of Parks and Recreation (California State Parks) proposes to construct a Visitor Center on the grounds of Calaveras Big Trees State Park. The following is a summary of the proposed work:

- Construct a permanent, accessible visitor center of approximately ~~7000~~ 6,500 square feet;
- Install a new trailhead/assembly area adjacent to the proposed visitor center;
- Improve the existing 79-space parking area to include four Americans with Disabilities Act (ADA) spaces, including one van accessible space, ~~79-standards spaces~~ and three bus parking spaces;
- Remove approximately ~~four~~ six trees of no more than 30" diameter at breast height (dbh) to accommodate visitor center and utility placement;
- Provide utility connections to the new visitor center including water, sewer, electricity, telephone, environmental control, security/fire alarm, and telecommunications infrastructure, and install a new additional propane tank; and
- Provide low-maintenance, native plant landscaping around visitor center, over trenching areas, adjacent to pathways, and all areas disturbed by construction.

The above changes reflect the final design of Visitor Center and clarify the extent of the work.

Chapter 3, Environmental Setting, Page 22, Paragraph 3 will be revised to read:

... the county is in non-attainment with California standards for ozone and particulate matter (PM₁₀ – or particles with an aerodynamic diameter of 10 microns or less and PM_{2.5} – particles with an aerodynamic diameter of less than 2.5 microns). An area is designated in non-attainment if there was at least one violation of a State standard for that pollutant within the area boundaries. In June 2002, the Air Resources Board (ARB) established a new State annual standard for particulate matter with a diameter of 2.5 microns or less (PM_{2.5}) and lowered the level of the existing State annual standard for particulate matter with a diameter of 10 microns and smaller (PM₁₀). EPA was due to finalize the designations for the PM_{2.5} standards by the end of 2004; this finalization is still pending. Once nonattainment designations take effect, the state and local governments will have three years to develop implementation plans designed to meet the standards by reducing air pollutant emissions contributing to fine particle concentrations.

Chapter 3, Page 22, Environmental Setting, line added to Calaveras County Air Quality Designations table:

	2002 State Levels	2002 Federal Levels
Particulate Matter 2.5 (2003)	<u>Unclassified</u>	<u>Unclassified/Attainment</u>

Chapter 6, Page 76, References, Air Quality, references added:

United States Environmental Protection Agency, Fine Particulate (PM_{2.5}) Designations. <http://www.epa.gov/pmdesignations/regions/region9t.htm>

Draft Procedure for Designating an Area with Respect to the State Particulate Matter Standards (PM₁₀ and PM_{2.5}); internet address: <http://www.arb.ca.gov/design/design03/design03pmprotocol.pdf>

The above three changes were in response to a recommendation made by Caltrans that DPR discuss fine particulate matter (PM_{2.5}) in the final MND. The changes also discuss regulatory changes involving attainment designations.

Chapter 5, Page 71, Summary of Mitigation Measures, Cultural Resources, the following mitigation measure was inadvertently omitted from the summary and will be included:

MITIGATION MEASURE CULTURAL 1
Existing mature vegetation at the proposed construction site will be retained, with limited pruning to protect the viewshed of the historic Hotel Annex building.

Change reflects inadvertent omission of this mitigation measure from the summary. This mitigation measure was included and discussed in the cultural resources section of the document. This is not a new mitigation measure.

This document, along with the Draft Initial Study/Mitigated Negative Declaration (SCH#2004072144), corrected as noted above; Comments and Response to Comments; Mitigation Monitoring and Reporting Program; and the Notice of Determination, constitute the Final Mitigated Negative Declaration for the Visitor Center Project at Calaveras Big Trees State Park.

Pursuant to Section 21082.1 of the California Environmental Quality Act, the California Department of Parks and Recreation (DPR) has independently reviewed and analyzed the Initial Study and Negative Declaration for the proposed project and finds that these documents reflect the independent judgment of DPR. DPR, as lead agency, also confirms that the project mitigation measures detailed in these documents are feasible and will be implemented as stated in the Negative Declaration.

Original signed by _____
Gail Sevrens
Environmental Coordinator
Northern Service Center

Date

Original signed by _____
Stephen R. Lehman
Deputy Director
Acquisition and Development Division

Date