

State of California – The Resources Agency

Memorandum

Date : September 22, 2020

To : Project File

From : Peter Jones

Environmental Scientist

Department of Parks and Recreation

Gold Fields District

Subject : Mammoth Bar Motocross Track Relocation Initial Study/Mitigated Negative Declaration (MND) Supplemental Comment Analysis and CEQA Decision Memo

The comment period for the above CEQA document closed on June 1, 2020. Over 75 comment letters and emails were received during the comment period. A CEQA decision memo providing comment analysis and responses was prepared on July 10. CDPR considered the comments, responses, and resulting changes to the Initial Study and adopted a mitigation monitoring and reporting plan prior to approving the project on July 10, 2020. CDPR filed the Notice of Determination documenting project approval on July 13, 2020.

Subsequent to project approval, CDPR identified an additional comment letter and two emails that had been submitted on time but did not get included in the original CEQA decision memo. This correspondence, #O4, #I73, and #I74, has now been reviewed and is incorporated into the record via this supplemental CEQA decision memo. Having considered comments #O4, #I73, and #I74, the responses, and any resulting changes to the Initial Study, CDPR has determined the comments did not provide substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided.

A complete list of all comments received is provided in Attachment A; comments are on file at the Goldfields District. Specific analyses and responses to all comments received are provided in Attachment B. Subsequent changes to the Initial Study are listed as errata in Attachment C and are considered incorporated into the MND. A mitigation monitoring and reporting plan was prepared and adopted and is also on file at the Gold Fields District.

With completion of this additional analysis and consideration of all comments and errata, CDPR affirms its prior adoption of the MND and project approval. No additional CEQA filing is necessary.

Attachment A. Comments Received on the Mammoth Bar Motocross Track Relocation Initial Study/Mitigated Negative Declaration

Comment No.	Commenter	Comment Source
<i>Public Agencies</i>		
A1	Central Valley Regional Water Quality Control Board	Letter, May 29, 2020
<i>Organizations</i>		
O1	Sierra Club, Mother Lode Chapter	Letter, May 31, 2020
O2	Protect American River Canyons	Letter, June 1, 2020
O3	Public Interest Coalition	Letter, June 1, 2020
O4	Friends of the North Fork (American River) & Placer County Tomorrow	Letter, June 1, 2020
<i>Individuals</i>		
I 1	Paul Kekoni	Email, April 28, 2020
I 2	Chris Poling	Email, April 28, 2020
I 3	Brett Powell	Email, April 29, 2020
I 4	Michael Muldoon	Email, May 3, 2020
I 5	Michael Muldoon	Email, May 3, 2020
I 6	Tom Ceccarelli	Email, May 3, 2020
I 7	Joanne Thornton	Email, May 7, 2020
I 8	Derek Slavensky	Email, May 10, 2020
I 9	Terry Davis	Email, May 15, 2020
I 10	Jon Reed	Email, May 15, 2020
I 11	Michael Maguire	Email, May 16, 2020
I 12	Britt Davis	Email, May 16, 2020
I 13	Holly Verbeck	Email, May 16, 2020
I 14	Chase Genzlinger	Email, May 16, 2020
I 15	Ted Hawkins	Email, May 16, 2020
I 16	Jeffrey Hohlbein	Email, May 17, 2020
I 17	Steven Terrell	Email, May 17, 2020
I 18	Andrew Muhlbach	Email, May 17, 2020
I 19	Mark Via	Email, May 17, 2020
I 20	Tom Venuti	Email, May 17, 2020

Comment No.	Commenter	Comment Source
I 21	Steve Mervau	Email, May 18, 2020
I 22	Brian Scott	Email, May 18, 2020
I 23	Todd Kohlmeister	Email, May 20, 2020
I 24	Jim Borow	Email, May 20, 2020
I 25	Rod Glazebrook	Email, May 20, 2020
I 26	Garrett Schlegel	Email, May 20, 2020
I 27	Kris Terrell	Email, May 20, 2020
I 28	Brian Roth	Email, May 20, 2020
I 29	Chaz Halbert	Email, May 21, 2020
I 30	Daniel Chase	Email, May 21, 2020
I 31	Peter Crowell	Email, May 22, 2020
I 32	Chris Smith	Email, May 23, 2020
I 33	Kyle Bross	Email, May 26, 2020
I 34	Chris Conover	Email, May 27, 2020
I 35	Cari Simonelli	Email, May 28, 2020
I 36	Michael Allison	Email, May 28, 2020
I 37	Phil Hamilton	Email, May 28, 2020
I 38	Patrick Burke	Email, May 28, 2020
I 39	Robert Weber	Email, May 28, 2020
I 40	Scott Alessandro Rose	Email, May 28, 2020
I 41	Scott Alessandro Rose	Email, May 28, 2020
I 42	Brandt Kennedy	Email, May 28, 2020
I 43	Spencer Smith	Email, May 28, 2020
I 44	Mark Beers	Email, May 28, 2020
I 45	Raymond Groshong	Email, May 28, 2020
I 46	Kevin Murphy	Email, May 28, 2020
I 47	Stephanie Lee	Email, May 28, 2020
I 48	Mike Weber	Email, May 28, 2020
I 49	Michael Muldoon	Email, May 28, 2020
I 50	Bert Casten	Email, May 28, 2020
I 51	Dan Davis	Email, May 29, 2020

Comment No.	Commenter	Comment Source
I 52	Jeff Forslund	Email, May 29, 2020
I 53	Steven Clark	Email, May 29, 2020
I 54	Paul Master	Email, May 29, 2020
I 55	Vivian Terwilliger	Email, May 29, 2020
I 56	Bert Casten	Email, May 29, 2020
I 57	David Taylor	Email, May 29, 2020
I 58	Rod Mckenzie	Email, May 30, 2020
I 59	Jeff G.*	Email, May 30, 2020
I 60	Dan McManus	Email, May 30, 2020
I 61	Alan Carlton	Email, May 31, 2020
I 62	Hines Custom Fence and Iron*	Email, May 31, 2020
I 63	Jeremy Davis	Email, June 1, 2020
I 64	Josh Gassin	Email, June 1, 2020
I 65	Patrick McPhetridge	Email, June 1, 2020
I 66	Amy Sheppard	Email, June 1, 2020
I 67	Robert Makinen	Email, June 1, 2020
I 68	Paul Clark	Email, June 1, 2020
I 69	Epifanio Carrasco	Email, June 1, 2020
I 70	Glenn Gehrke	Email, June 1, 2020
I 71	Scott Grosser	Email, June 1, 2020
I 72	James Williams	Email, June 1, 2020
I 73	Kelly Knipe	Email, May 20, 2020
I 74	Dan King	Email, June 1, 2020
*Name/full name not given		

Attachment B. Mammoth Bar Motocross Track Relocation IS/MND RESPONSE TO COMMENT

Note: All response references to sections, chapters, and figures, e.g., Section 3.11, refer to the Initial Study unless otherwise stated.

Comment Letter #A1, Central Valley Regional Water Quality Control Board

Comment #A1-1: [Note: Information summarized due to comment length.] The CVRWQCB's letter provides background on the Basin Plan and information on permits that may be required for the project including: Construction Storm Water General Permit, Phase I and II Municipal Separate Storm Sewer System (MS4) Permit, Industrial Storm Water General Permit, Clean Water Act Section 404 Permit, Clean Water Act Section 401 Water Quality Certification, Waste Discharge Requirements, Dewatering Permit, Limited Threat General NPDES Permit, and/or NPDES Permit. The letter notes the environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response to Comment #A1-1: Initial Study section 3.10 Hydrology and Water Quality assesses potential project impacts on both surface and groundwater quality, noting that implementation of the Storm Water Pollution Prevention Plan for the project, in support of a NPDES permit, would avoid adverse effects to surface and groundwater quality. The letter does not provide comment specific to the environmental analysis in the IS/MND. CDPR is consulting with the CVRWQCB and other regulatory agencies prior to construction of the project to be sure all proper permits for the work are obtained.

Comment Letter #O1, Sierra Club, Mother Lode Chapter

Comment #O1-1: First, we would like to express the Sierra Club's longstanding opposition to motorized recreation in the American River Canyon. We believe that allowing motorized vehicle use to continue at Mammoth Bar is inconsistent with responsible management of sensitive natural resources... Unfortunately, ... there has been a history of treating Mammoth Bar as a "sacrifice area," where natural resources did not have to be protected to the same degree they otherwise would have.

Response to Comment #O1-1: The comment expresses the opinion of the commenter. No basis is provided for the description of Mammoth Bar as a "sacrifice area," a description rejected by CDPR as contrary to management of the area. No comment is made on the adequacy of the Initial Study or its conclusions. No response is required.

Comment #O1-2: [E]rosion and threats to water quality from motorized recreation remain ongoing, and may even increase to some degree, given plans in the draft form to open the area to motorized recreation six days a week, rather than on alternate days, as has been the case under the interim management plan...

Response to Comment #O1-2: As stated in Section 3.11.1 (see Errata), use limits prescribed by the interim management plan will stay in effect until the Auburn SRA General Plan/Resource Management Plan (GP/RMP) is approved. Any use changes

proposed under the GP/RMP have been analyzed via the GP/RMP EIR/EIS and are not the basis for or a component of the track relocation project. The GP/RMP, including the Draft and Final EIR/EIS that have been released to the public, are the long-term management plan that will replace the 1992 Interim Resource Management Plan (IRMP) for Auburn SRA and fulfill the requirements in the 2000 Stipulation for Settlement and Dismissal for a comprehensive long-term management study and replace the interim management plan identified in the Settlement, including the motorized and non-motorized use limits identified in the Agreement. The Final EIR/EIS for the GP/RMP was released on June 26, 2020. Although USBR finalized and signed the GP/RMP EIS Record of Decision on August 21, 2020, CDPR still needs to complete its decision processes for the GP/RMP EIR. The Park and Recreation is not expected to hold a hearing considering the GP/RMP until 2021. The relocation project is independent of and not dependent on the GP/RMP or its EIR/EIS analysis.

Comment #O1-3: Regarding the motorcycle track, it is very close to the American River, which is a source drinking water for hundreds of thousands of downstream residents. The sandy, porous, and highly erodible soils of the track are prone to contamination, which exposes the river to harmful water quality impacts. State Parks itself admits the inappropriateness of this location for motorized recreation.

Response to Comment #O1-3: The project does not propose increasing the amount, extent, or intensity of use or changing the types of uses at Mammoth Bar and would not increase any potential for contamination. As acknowledged in Comment #O1-4, the proposed project entails relocating the MX Track farther from the Middle Fork American River to reduce the potential for flooding and related erosion and potential adverse water quality impacts. This relocation reflects the project objective of minimizing the likelihood and extent of flood-related erosion rather than a determination of the appropriateness of the overall project area for motorized recreation. See also Response to Comment #O2-3 regarding erosion control and Response to Comment #O3-5 regarding flood flow analysis. No comment is made on the adequacy of the IS/MND or its conclusions. No further response is required.

Comment #O1-4: [T]he proposed relocation of the track farther from the river, where it is less likely (at least in the short-term) to be washed out again, would provide an incremental potential benefit to water quality. The track is being relocated to an already developed area, and no outside fill is being brought in. Therefore, although we usually request the preparation of a full Environmental Impact Report for a project in a sensitive area, we are not objecting to the use of a Mitigated Negative Declaration in this instance.

Response to Comment #O1-4: The comment is consistent with the use of an MND for the project. CDPR notes and appreciates the lack of objection to use of the MND. No further response is required.

Comment Letter #O2, Protect American River Canyon

Comment #O2-1: We agree the proposed relocation of the track away from the river would be an improvement on its previous riverside location, in that the new location would be less susceptible to damage from high river flows and less likely to result in

OHV pollutants being deposited in the river. Nevertheless, PARC is concerned that the reconfigured track and other features of the proposed project may have significant environmental impacts that the MND's proposed mitigation measures will fail to reduce to a less than significant level. These potential adverse impacts include, but are not limited to: negative visual and aesthetic effects, erosion and degradation of water quality, increases in ambient noise, interference with other recreational opportunities (such as rafting, kayaking, mountain biking, and hiking), and impacts on plant and animal communities.

Response to Comment #O2-1: The comment lists environmental factors potentially significantly affected by the project but does not provide information on specific effects. No further response is required.

Comment #O2-2: We also believe the MND is flawed because it only identifies and evaluates potential environmental impacts that may occur during construction of the new track and associated features. The MND fails to consider and evaluate the potential impacts from OHV use of the rebuilt track and other facilities once construction activities are completed and the area opened to public OHV use.

Response to Comment #O2-2: The completed project footprint would be within the boundaries of existing use areas (Section 2.3 and Figure 5). Existing uses would remain, although some facilities such as the trials area would be relocated (Section 2.3). The track relocation project does not propose changing the number of use days. The relocated track would not expand the OHV area and is not expected to increase the pre-storm amount, extent, type, or intensity of use of the OHV area (see, e.g., Sections 3.3.2, 3.11, and 3.16.2). The GP/RMP does propose changing the number of OHV use days, to up to 6 days per week, but this change in use is analyzed through the separate EIR/EIS for the GP/RMP. See Response to Comment #O1-2.

Comment #O2-3: However, nowhere does the MND evaluate the potential riparian or water quality impacts of OHV use of the relocated track.

Response to Comment #O2-3: The track would be relocated into an area that has been actively used for OHV recreation (trials) and parking. Other than riparian impacts occurring during construction, as discussed under Section 3.4.3, threshold b, the project would not cause new riparian impacts (see Errata). Section 3.10.2 assesses the project's potential water quality impacts, including from operations, e.g., see the analysis under threshold a: "As stated in the Geology and Soils section above, soil erosion could also occur from the ongoing use of the track once it has been relocated and reopened. Regular maintenance of the track conducted under a Stream Alteration Agreement with CDFW would minimize loose soils through watering and compaction and other erosion control measures. Finally, the ongoing use of the MX Track requires compliance with the OHMVR Division's soil conservation program and soil loss guidelines."

Comment #O2-4: The MND also fails to address and evaluate the potential impacts from increased frequency of OHV use at Mammoth Bar. State Parks and the Bureau of Reclamation are currently developing a new Resource Management Plan/General Plan ("RMP/GP") to guide future management of Auburn SRA, including OHV operations at Mammoth Bar. The draft RMP/GP includes a guideline that would allow OHV use at

Mammoth Bar to increase to six days a week (see guideline MZ 22.2 of draft ASRA General Plan/APL Resource Management Plan). Given the clear foreseeability of such increased frequency of OHV use occurring (the new RMP/GP is anticipated to be adopted at some point in 2020), the MND should address the potential impacts from such increased use.

Response to Comment #O2-4: See Response to Comment #O1-2.

Comment #O2-5: [G]iven that the construction schedule for the proposed project coincides with the summer whitewater boating season, we note that the MND fails to indicate whether access to the boating take-out at Mammoth Bar would remain open during that time, and if access would be interrupted, fails to identify any measures to mitigate that impact.

Response to Comment #O2-5: The river access would remain unaffected for most of the construction period. There might be a one- to two-week period when CDPR moves the old MX track feature material when the area might be closed to the public. Otherwise, access would remain open. Traffic control would be set up if needed.

Comment #O2-6: Given the flaws in the MND noted above, and in light of the requirement that an environmental impact report be prepared whenever there is substantial evidence that supports a fair argument that a proposed project may result in one or more significant environmental impacts (California Public Resources Code section 21080), PARC submits that an EIR must be prepared with regard to the proposed Mammoth Bar Track Relocation Project.

Response to Comment #O2-6: The project does not propose increasing the amount, extent, type, or intensity of use at Mammoth Bar (see Response to Comments #O1-2 and #O1-3). The comments have not provided substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. No further response is required.

Comment Letter #O3, Public Interest Coalition

Comment #O3-1: We appreciate the opportunity to comment and urge (1) a postponement of any decisions until a full CA State Parks and Recreation Commission can resume functions/meetings (to follow proper procedural policy); (2) a re-evaluation and consideration of alternatives and options; (3) and full compliance with both the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA).

Response to Comment #O3-1: The IS/MND was noticed and circulated for public comment consistent with CEQA Guidelines sections 15072 and 15073 and available for downloading from the State Clearinghouse and CDPR websites. CDPR approval of the project does not require a hearing by the State Park and Recreation Commission or other public hearing, e.g., the project is not approval of a general plan, unit classification, or concession contract. As NEPA lead agency, the U.S. Bureau of Reclamation (USBR) prepared a separate Environmental Assessment, which was subject to separate public comment. No further response is required.

Comment #O3-2: History and evidence provide substantive proof of the well-known fact that (1) due to repeated wash outs and damage, instead of a "Relocation," the only

viable project should be one of “Restoration”; and (2) this Mammoth Bar (MB) Motocross (MX) “Relocation” proposal is in fact a new project with potential foreseeable significant impacts that require analysis and circulation of an Environmental Impact Report (EIR)—not a Mitigated Negative Declaration (MND) as proposed—to comply with CEQA as well as an Environmental Impact Statement (EIS) under NEPA.

Response to Comment #O3-2: See the MND Proposed Findings based upon incorporated mitigation that an MND is the appropriate CEQA document for the project. The comment lists generalized concerns about the project and whether an EIR is required but does not provide information on specific effects or provide substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. No further response is required.

Comment #O3-3: The Mammoth Bar OHV Area has been operating without proper environmental analysis which should render its authorization moot or worthless. Its original, natural state—no OHV or MX track—must be considered the true baseline and must be the starting point for any decisions about the MB MX’s future.

Response to Comment #O3-3: OHV recreation at Mammoth Bar is a long-established use that pre-dated and was recognized by the 1992 IRMP and has been operated consistent with the IRMP since that time (see Section 2.2). OHV recreation has been ongoing subject only to temporary interruption, e.g., the 2006 MX track repair and the 2017 storm. Most of the area where the track would be relocated to, including the current staging area, trials area, and river access road, was reopened to the public on May 10, 2018. Consistent with the CEQA Guidelines and case law, the IS/MND has treated existing facilities and ongoing activities occurring at the project site as a component of the existing conditions baseline. Although use of the MX track was suspended in 2017 due to storm damage, CDPR immediately began work to assess the damage and develop a plan to restore safe recreation operations in the Mammoth Bar area. The process included addressing immediate safety concerns as well as developing and evaluating options for the MX track; conducting permitting, CEQA review, and tribal outreach; engineering design; and funding procurement. The IS/MND properly considers continued OHV recreation at recent historical use levels consistent with the IRMP as existing conditions, see, e.g., *North County Advocates v. City of Carlsbad* (2015). The IS/MND does assess the effects of relocating facilities within the OHV area where relevant. As noted in Section 3.1.2, following relocation of the track, there would be little noticeable difference in the existing environment within the OHV area from pre-storm conditions.

Comment #O3-4: That same natural setting baseline should be the starting point for restoration.

Response to Comment #O3-4: See Response to Comment #O3-3.

Comment #O3-5: [A]ll forks of the American River, but especially the Middle Fork, will be subject to unpredictable weather due to future climate disruption. To ignore the fact that record flows (high and/or low), extreme run off, wildlife migratory impacts and more are highly likely as nature rightfully takes its course, is to invite further impacts from the MB MX if it’s allowed to relocate in the MB area...

Response to Comment #O3-5: As described in Section 2.3.1, the project is designed to move the MX track uphill and farther from the American River to reduce the likelihood of future flooding and resulting erosion. Section 3.10.1 references and summarizes the 2017 flood flow analysis prepared by California Geological Survey (CGS 2017). CGS 2017 determined that most of the project site would be away from areas likely to flood, and that if flooding did occur, erosion would be minimal (see Errata).

Comment #O3-6: Moving the MX and restoring MB is the only realistic and reasonable option. Restoration costs could and should be paid by State Park's OHMVR division by utilizing the many grant resources available to them (See Attachment B).

Response to Comment #O3-6: The comment expresses the opinion of the commenter. No comment is made on the adequacy of the IS/MND or its conclusions. No response is required. See also Response to Comment #O3-5.

Comment #O3-7: The enormity of the MB MX potential impacts must be analyzed via circulation of a full EIR as required by CEQA and a full EIS as required by NEPA.

Response to Comment #O3-7: The comments have not provided substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. The USBR is lead agency for NEPA and determined the Environmental Assessment was the appropriate vehicle for NEPA compliance. No further response is required.

Comment #O3-8: The MND photos clearly show that there is not enough room to relocate the track and other areas farther away from the river; thus the setback from the MF AR is completely inadequate and has the potential for hazardous run off and more erosion.

Response to Comment #O3-8: See Response to Comment #O3-5.

Comment #O3-9: The MB MX functional areas are still clearly within harm's way (high water mark) and will be damaged by water run off in severe storms from the elevation gain of the slope(s) above the track and wash-outs just as they have been as indicated in the MND.

Response to Comment #O3-9: See Response to Comment #O3-5.

Comment #O3-10: The focus should be solely on damage to the environment, specifically the watershed of the NF AR that stem from the MB MX. CEQA is meant to inform the public of impacts; however, this MB MX MND vacillates—sometimes focusing on impacts from the construction of the new relocation; other times, focusing on OHV activities. Thus, the public cannot fully grasp the true significance of the impacts and their mitigation or a relocated MB MX. An analysis needs to be circulated that focuses fully on both the relocation area impacts to the environment and any other impacts that short-term construction may create.

Response to Comment #O3-10: The comment lists generalized concerns about the IS/MND analysis but does not provide information on specific effects, provide specific discussion, or provide substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. The IS/MND assesses impacts from both construction and operations, as applicable. See, e.g., discussion in Section 3.3.2 and Response to Comments O2-3 and O3-5. The discussion

in Section 3.4.3 has been amended to clarify that project operations would not significantly affect special-status species or sensitive habitat (see Errata). See also Response to Comment #O2-6

Comment #O3-11: The MND dismisses the scenic vista with an unacceptable argument that the area “has been subject to ongoing OHV activities since the last 1970’s, and following relocation, there would be little noticeable difference.” First, the area has not been subject to OHV activities since the wash-out and flooding in 2017. Second, the scenic beauty of the river is present without the track usage. Currently, with no usable track, the river (except for the white plastic pipes sticking out of the washed-out banks) is still extremely scenic. Rafters may not see the track but everyone else who comes in on the road certainly will. Thus, there is potential impact to scenic resources as well as their being further damaged on the site by the relocation. The IS states, “including but not limited to...”; thus all the MB scenic resources are at risk from the relocation—the scenic highway issues not does pertain to the MB MX yet is used to omit the discussion. It’s disingenuous to state that relocation activities will take place within the existing “footprint.” With the actual loss of track area due to the wash-out, it would appear that the footprint “size” may be the same, but new ground will be broken (used/taken/impacted, etc.); but that is not covered. We submit that all potential impacts must be thoroughly analyzed via an EIR.

Response to Comment #O3-11: As noted in Response to Comment #O3-3, the Mammoth Bar OHV Area is a decades-long established use operated almost continuously other than for the 2006 track repair and the 2017 storm damage addressed by the track relocation project currently under consideration. The project would not noticeably change the views of the project area visible from the American River as the track area is screened and only visible from a limited stretch of the river or other scenic viewpoints. Although returning visitors to the OHV area would notice that use areas have shifted, the overall uses would not have changed, and all construction would have occurred in areas already disturbed either for recreation, e.g., the trials area, or recreation support, e.g., parking and access.

Comment #O3-12: The MND deals solely with speculation that there would be no change in attendance to the MX track and therefore no change in dust creation or operational emissions. If that were the case, then we could assume that the OHV operators would not wear face masks. We submit that the re-located track may, or potentially will indeed create significant dust if not emissions for sensitive receptors. These may be visitors, family members who come to watch, or OHV operators who take a break and remove masks while others race upon the track(s). We submit that air quality impacts may be significant and require analysis. Here again, the MND does not include thresholds for determining the significance of the air quality impacts from the MB activities themselves. Therefore, the MND lacks the evidentiary support for its conclusions.

Response to Comment #O3-12: See Response to Comments #O3-3 and #O1-2 and #O1-3, respectively, regarding the long-established OHV use, no increase in use, and no change to the extent, intensity, or types of use. As such, and as noted in Section 3.3.2, project operations would not change operational emissions or otherwise change operational air quality impacts.

Comment #O3-13: We submit that any changes in landscape will interfere substantially with the movement of resident and/or migratory wildlife species or with established native resident or migratory wildlife corridors. Additionally, there is a foreseeable potential that native wildlife nursery sites may also be impacted with the relocation. Dismissing the impact by stating that wildlife “could move around the project area during construction” is inadequate and may not even be true. It’s not just at time of construction but after the MB MX track is being used where the potential lost corridors can take their toll—especially with nocturnal prey animals. Barriers to wildlife movement are only one aspect of the negative impacts. It’s creating new corridors that may pose problems for wildlife and predators. None of this is addressed in the IS; it must be thoroughly analyzed in an EIR.

Response to Comment #O3-13: The comment does not explain how relocating the MX track into an area already used for recreation and public access would block wildlife movement or affect wildlife nurseries beyond the impacts already described and mitigated in the IS/MND. See, e.g., discussion in Section 3.4.3 regarding potential impacts to nesting birds and accompanying mitigation. Although the MX track would be fenced to prevent OHV access during non-operating days, fencing the approximately three-acre track itself would not prevent wildlife from moving through the overall Mammoth Bar OHV Area (see Errata). The project would not create new or block existing wildlife movement corridors. The response to Biology threshold has been revised to clarify that mitigation prescribed for nesting birds and bat nursery sites addresses potential impacts to nursery sites (see Errata).

Comment #O3-14: [W]e submit that this is a new project; as such it cannot defer analysis by claiming the impacts already take place. The MB track was once closed (after the last wash-out); at that time there were no excessive OHV noises. In fact, without the MX being used, there is no existing noise from the track. Thus, this MND has failed to analyze any of the noise that will be created or generated by the new location. This is unacceptable—it does not inform the public nor comply with CEQA. The MND provides no explanation as to why, when the MB track is inoperative, that it is relying inappropriately on previous operations. This threshold is not appropriate under CEQA. CEQA Guidelines state that a project would have a significant noise impact if it would result in substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project. See CEQA Guidelines Appendix G. We submit that an EIR analysis is required due to potential significant noise levels with the relocation. We also submit that the MND relies on an inaccurate baseline to analyze the impacts from the MB MX project itself. CEQA requires an accurate description of the existing environment. CEQA Guidelines § 15125(a); *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 722. This baseline normally reflects “the existing physical conditions in the affected area, that is, the real conditions on the ground.” *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 321 (citations omitted). Without an adequate baseline, the MND cannot meaningfully analyze the project’s impacts.

Response to Comment #O3-14: See Response to Comment #O3-3.

Comment #O3-15: Yet this impact section ignores the impact on CDPR Officers to patrol and respond to calls as well as CalFire’s. It again dismisses any potential impacts

by claiming reinstatement of an existing use (which actually is the track's washed-out condition with little-to-no use) is not a new use (the baseline?). We submit that this is new project. Aside from the fact that a proper CEQA analysis was not completed when the MB MX was first created, the baseline now should reflect three years of no legal or organized OHV activities. Activities at the new relocation sites need to be thoroughly analyzed along with the potential impacts from the MB MX activities—not just the construction activities.

Response to Comment #O3-15: See Response to Comment #O3-3 and Section 3.15. The project would not change the amount, type, intensity, or timing of Mammoth Bar uses and would not change the demand for emergency response as it existed prior to the flood damage.

Comment #O3-16: [T]he environmental document must use existing conditions on the ground at the time the Notice of Preparation was published as the baseline for its environmental analysis. See *Neighbors for Smart Rail v. Exposition Metro Line Construction Authority* (2013), 57 Cal.4th at 448, 459. If an agency deviates from the existing baseline conditions scenario, it must provide substantial evidence to demonstrate why an analysis of the project compared to existing conditions would be misleading. *Neighbors for Smart Rail* at 439.

Response to Comment #O3-16: See Response to Comment #O3-3.

Comment #O3-17: [N]o where in the MND is there a mention of e-bikes. Unless ASRA or the MB MX track(s) ban or prohibit them, their use and impacts must be analyzed via an EIR.

Response to Comment #O3-17: The comment notes that the IS/MND does not discuss e-bikes. The project would not change allowable uses within the Mammoth Bar OHV Area. The MX track has not and would not allow e-bikes. The comment does not provide information on specific effects or provide substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided.

Comment Letter #O4, Friends of the North Fork (American River) Placer County Tomorrow

Comment #O4-1: The MX track that washed out has been silent for 3 years and four months, and was silent when it washed out about 10 years before the current one.

Response to Comment #O4-1: The comment does not address the adequacy of the Initial Study or its conclusions but does mischaracterize existing conditions at the project site. As noted in Response to Comment #O3-3, OHV recreation at the project site has been ongoing for decades, subject only to temporary interruption, e.g., the 2006 MX track repair and the 2017 storm. Regarding the latter event, although MX track use was temporarily suspended, Mammoth Bar OHV Area was reopened to the public in May 2018, after road and trail work was completed to repair storm damage, with the main public access and staging being directly adjacent to the old MX track.

Comment #O4-2: Accurately defining how the MX track and road access to it were created and by who is fundamental to understanding the project at hand. It's necessary to know in fair detail the history both of the ASRA OHV area and the MX track, including

how, when and by who development and construction happened, including access to the sites and the ultimate limiting of unregulated trail expansion and MX track development that has been done with or without permits. All permits and approvals relating to the MX track and the OHV facility it's in need to be described and referenced in the project's CEQA document... Of particular concern and not mentioned in the MND is how much, where, and what kind of parking has taken place up to now, and what planning, creation and management, including current parking location and plans are associated with reconstructed MX track.... State Park planning, management and responsibility for the ASRA as a whole, the OHV area, the river, and the MX track require clarification, definition and explanation.... The MX track project and a CEQA document need to but do not address agency relationships and compatibility of these plans. The failure of the MND to mention the ASRA joint plan that is at this time pending final review, and the important role and alternative futures the that MX track and OHV and policy have in that plan seem to be oversights. Explanation is needed in any event.

Response to Comment #O4-2: As noted in Response to Comment #O3-3, the Mammoth Bar OHV Area is a decades-long established use operated almost continuously other than for the 2006 track repair and the 2017 storm damage addressed by the track relocation project currently under consideration. The history of how Mammoth Bar OHV Area was established or current management of the greater Auburn SRA is not relevant to describing the project's CEQA baseline or the impacts of the project on that baseline. Section 1.3 describes required permits and approvals. Proposed changes to parking are described in Section 2.3.1. As noted in Response to Comment O1-2, the status of the Auburn SRA GP/RMP is described in Section 3.11.1 (see Errata). The relocation project is independent of and not dependent on the GP/RMP or its EIR/EIS analysis.

Comment #O4-3: The State Parks agency ASRA plan decision will presumably have input from the Off-Highway Motor Vehicle Recreation Commission. The State Park and Recreation Commission would similarly be expected to have an opportunity to comment on the MX track project and MND. State Parks explanation of decision-making among its of entities about the neighboring ASRA and OHV areas would be helpful to CEQA analysis. With two different or more State Parks commissions and State Parks divisions, the CEQA document in this case needs to explain how substantive environmental impact factors are managed including identification of issues, preparation and review of comments occurs... BOR's probable role in the MX track project and its MND development and work with and work with other agencies needs CEQA analysis. This need includes memoranda of understanding between agencies. A CEQA document needs to review the project under the existing ASRA plan and should also do so under the proposed pending ASRA plan.

Response to Comment #O4-3: The IS/MND was noticed, circulated for comment, and made available for review consistent with CEQA Guidelines sections 15072 and 15073. Neither the State Park and Recreation Commission nor the OHV Commission are the decision makers for the project. Consistent with the Department Operations Manual, the designee of the Deputy Director of Park Operations, signed the Notice of Determination. All requirements for preparing an MND were completed, including evaluation of the environmental factors listed in CEQA Guidelines Appendix G. See Section 1.1 regarding the role of USBR in management of the project area. As NEPA lead agency, USBR

prepared a separate Environmental Assessment, which was subject to separate public comment. See Response to Comment #O4-2 regarding the relation of the Auburn SRA GP/RMP to the track relocation project.

Comment #O4-4: The role of the litigation and its settlement that led to the first Task Force and its studies and reports, and the second one 2017 to 2018 Task Force leading up to this MX track proposal require description in the CEQA document. ... Neither the current MX track project nor its MND were presented to, reviewed by or and discussed by the second Task Force, and its notice was not supplied to the Sierra Club Task Force member either. It is advisable that that 2017-2018 Task Force be reconvened for about current project.

Response to Comment #O4-4: See Response to Comment #O4-3 regarding circulation and notice. The comment refers to a process for discussion and consultation between CDPR and stakeholders but does not address the adequacy of the Initial Study or its conclusions.

Comment #O4-5: These five state agencies should be added now as review agencies: California Air Resources Board (motorbike exhaust), Department of Toxic Substances Control (mercury, asbestos), Health and Human Services (state site COVID transmission prevention/gatherings), Office of Emergency Services (emergency planning), Department of Water Resources (water supply). These Counties should be included for review: Placer County, El Dorado County (south side of the river), the County APCDs. Area land owner and manager Bureau of Land Management should also receive the notice.

Response to Comment #O4-5: See Response to Comment #O4-3 regarding circulation and notice. No comment is made on the adequacy of the IS/MND or its conclusions. No further response is required.

Comment #O4-6: This project involves Bureau of Reclamation action. This pending or completed, formal or informal process and related information should be described in the CEQA document. The BOR has determined that significant portions of the American River, including in the Mammoth Bar area, are eligible for federal Wild and Scenic River status. The next step, a suitability determination, could be negatively affected by the project.

Response to Comment #O4-6: See Response to Comments #O3-11 and I49-2 regarding project effects on views of the project area from the American River and noise. The project would not appreciably affect visual or noise conditions on or in the vicinity of the project site, including along the American River. In addition to aesthetics and noise, the IS/MND, as modified by the Errata, addresses project effects on numerous factors potentially affecting the American River. As NEPA lead agency, USBR prepared a separate Environmental Assessment for the project, which was subject to separate public comment. No further response is required.

Comment #O4-7: The MX project would violate the BOR's responsibility to protect middle Fork outstandingly remarkable values (ORV) by changing the location of the MX track, through relocation of the road by the river, and the project itself. The same issue may apply to BLM owned land. Is there an existing or planned NEPA document

and process for the MX track proposal? These questions and NEPA applicability should be described in the CEQA document.

Response to Comment #O4-7: See Response to Comment #O3-1 regarding NEPA compliance.

Comment #O4-8: The CEQA document or a NEPA document need to address the project under applicable BLM Resource Management Plan policies, designations and requirements. Affected and relevant overall BLM overall BLM policies and planning should also be addressed.

Response to Comment #O4-8: BLM land within the Auburn SRA is administered by USBR per an existing agreement. The project is consistent with that agreement.

Comment #O4-9: Page 23 is a failed MND page where these potentially significant impacts of the project are checked off:

Response to Comment #O4-9: The comment refers to the table of environmental factors potentially affected by the project. The table only checks off those environmental factors involving at least one impact that is a "Potentially Significant Impact." Biological Resources (Section 3.4) was the only environmental factor with potentially significant impacts, which were addressed by mitigation. The table erroneously checks off Hazards/Hazardous Materials and Hydrology/Water safety, but the project would not create significant impacts related to either factor (see Errata).

Comment #O4-10: MX Track recreation and competition are not river dependent land and water use planning... A fundamental, and generally universal requirement in river corridor, lake, coastal, shore, and any water body planning is that need to be water dependent and that they must take place by, in, on or using a water body or water directly from it.

Response to Comment #O4-10: The project covers relocation of the MX track and related measures at an existing facility; it is not a planning project and does not address whether the activities are water dependent. No comment is made on the adequacy of the IS/MND or its conclusions. No response is required.

Comment #O4-11: MX Track noise is inconsistent with other forms of recreation, especially quiet recreation, and with wildlife and with the aesthetic values associated with these values. The apparent reason in the MND for deciding that the MX track project has "No Impact" is: "OHV activities already take place in the project area. Relocating the track would not increase actual noise levels above those that existed before the track was storm damaged." This is opinion and conjecture based on nothing that can be found in the MND. The MND mistakenly equates other MX track noise with other OHV uses as on trails. And the use has not been continuous: the MX track has been closed for three years, four months, and has washed out before.

"No Impact" is checked even as the MND notes that the area is characterized by loud bursts of motorcycle noises with the intensity depending on the number of users. MND page 72. There is no discussion or review of routine noise impact issues or analysis, no issue reporting of any kind, including not about noise issues addressed in the pending ASRA plan... Noise contour analyses of the unique MX track and OHV area are essential... The MND seems to argue that because there has been OHV use in the

past, it's not necessary to review any noise from the MX track area. This is mistaken. The track impacts must be evaluated because they would be and are a significant impact on the environment and because this use could increase. This problem could be solved by not building the MX track.

Response to Comment #O4-11: See Response to Comment #O3-3 regarding baseline and continuity of uses at the project site. As noted in Response to Comments O1-3 and O2-2, the project does not propose increasing the amount, extent, or intensity of use or changing the types of uses at Mammoth Bar. The track would be relocated into an area already used for motorized recreation (trials) and would actually overlap with a portion of the existing track footprint (see Response to Comment #I9-1). The IS/MND correctly evaluates the project's noise impacts on the baseline conditions, which include an actively used motorized recreation area.

Comment #O4-12: Relocation of the road by switching places between road and track substitutes the new road's vulnerable location in place of a rebuilt track...Erosion is a serious and acknowledged impact in the MND...The impacts of relocating the track involve an attempt to add protection to the MX track by moving the road to be between the track and the river. These changes would make for two interrelated projects: (1) road relocation to get the MX track out of the increasingly secure location where it has been, and (2) MX track relocation to the road alignment.... What is the volume of material to be excavated and removed? Is dynamiting expected? ... In addition to the MX track and road changes, removal of at least one constructed water movement managing structure is planned. All of the proposed changes and the continued facilities such as the heliport require assessment. Without applied river morphology expertise review, this is an experiment in guess work to see what happens. ... The project could also put the helicopter port at risk... For the factors in in this section and others, river morphology study and analysis is needed for planning to proceed with the intended road and track locations and modification of existing high water flow channeling constructions and flow paths on the river bar. The table of high river flows is an inadequate effort to quantify high water flows that could affect the bar. Data from other sources ... need to be obtained and presented.

Response to Comment #O4-12: The comment lists concerns about hydrological and related impacts, calling for additional studies, but does not provide specific data or other substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. It is worth noting that although a formal response to comment on an IS/MND is not required, these responses have been prepared to document full consideration of all comments and to provide clarification that may be informative to the commenter. Per CEQA Guidelines section 15204 regarding EIR comments, lead agencies are not required to conduct every study or provide all information requested by commenters. Although CDPR determined an IS/MND rather than an EIR was the appropriate CEQA document, the IS/MND and this memo considering and responding to comments, including any additional evidence provided by commenters, documents a good faith effort at disclosure comparable to and in keeping with CEQA Guidelines section 15204.

As noted in the comment and described in the IS/MND, the project does require relocating not only the MX track but also other facilities, including the access road, see,

e.g., Figures 5 and 6. As shown on those figures, however, the two features are not switching places. Rather, a portion of the access road would be realigned to just below the relocated track and then rejoin the existing road just west of the parking area. Note that the proposed road alignment is above the area that was damaged in the 2017 flood event. See also Response to Comment #O3-5 regarding the CGS 2017 analysis and reduced potential for erosion in the relocation area. As a contingency in case of extreme flows eroding the access road, an administrative access road could be modified to allow access to the river rafting take-out (see Section 2.3.1). Grading would include both cut and fill activities, with an average depth of excavation ranging from 2-10 feet. A minimal amount of fill material may be imported during grading activities at the proposed Trials Area, and other graded materials are expected to be balanced onsite. No explosives would be used. As noted in Section 2.3.1, the groin wall referenced in the comment would be removed to restore natural drainage, which was recommended in CGS 2017. The response to Hydrology threshold c. iv has been revised to address the groin removal (see Errata). The project would not affect the helicopter landing pad.

Comment #O4-13: The “Less that significant impact” check on page 67 is unsupported by needed facts. There is no description of what a track operation Stormwater Pollution Prevention Plan is and what the NPDES requirement is that would be required. It’s clear that the project may lead to potentially significant erosion and offsite siltation with added potential violation of state suspended solids and water column turbidity requirements. The potential of track washout is not adequately addressed in this regard; the discussion on page 68 appears apply only to construction. The project is without analysis of one or more places planned to be removed or altered that now redirect flood flows. Each must be specifically addressed.

Response to Comment #O4-13: See Response to Comment #O2-3 regarding potential erosion from track operations. See Section 2.5 regarding track maintenance, including erosion control. The Storm Water Pollution Prevention Plan, which supports a National Pollution Discharge Elimination System (NPDES) permit as noted in the IS/MND ensures track construction complies with Clean Water Act requirements. Some of the basic NPDES requirements are listed in Section 3.10.2. See also Response to Comment #O4-12.

Comment #O4-14: The MND aesthetics discussion does not review aesthetic issues from the point of view of wild and near wilderness area aesthetics. Reading the MND as if it’s without buildings, highways and other urban characteristics creates an incorrect impression that are no aesthetic issues. ...The MND is not credible when it argues, “The MX Track has been in existence since 1997, and the project would not change the visual character of the area. ...” The project itself is a distinctive feature that affects aesthetics of Mammoth Bar and the surrounding area in and outside of the MX track and OHV areas. Some photos in the MND unduly flatten the appearance of the relocation area. The high, sharp cliff drop offs left after the 2017 and one or more erosion events following that that were corrected. The Photo on MND page 57 shows the MX track area after a 2017-2018 washout. The CEQA document needs to include description of that c. 2019 safety correction project and its CEQA document including State Clearing House number, Programs need to be run that show and document the visibility of the bar from the river,

Response to Comment #O4-14: The comment lists concerns about aesthetic impacts, calling for additional studies, but does not provide specific data or other substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. The project would not appreciably affect visual conditions on or in the vicinity of the project site, including along the American River. Relocating the track and other features within the project area does not create aesthetic impacts from within the project area, e.g., views within the project site do not constitute a scenic vista, the project would not significantly affect views of the river from the project site, etc. (see the aesthetic thresholds listed in Section 3.1). See Response to Comment #O3-11 regarding project effects on views of the project area from the American River. See Response to Comment #O3-3 regarding baseline and continuity of uses. The cut bank repair project noted in the comment, which resolved safety issues due to flood erosion creating a sharp drop-off at Mammoth Bar, is referenced in Section 2.3.1 and was completed in 2019. Both CDPR and California Department of Fish and Wildlife (CDFW) issued Notices of Exemption (NOEs) for the cut bank project in 2018; see State Clearinghouse Number 2018088096 for the CDPR-submitted NOE. Available aerial photos were taken prior to completion of the cut bank repair project. Although the Mammoth Bar shoreline area appears slightly different after completion of the cut bank repair project, the repairs did not substantially change the views of the track relocation project area or the conclusion of the aesthetic impacts of the relocation project. See also Response to Comment #O4-12 regarding the need for lead agencies to conduct additional studies.

Comment #O4-15: Restoration of the Mammoth Bar area and OHV area above it needs to be planned for as part of CEQA analysis including soil capability for agriculture, forestry, MX track, trail and other facility location and construction; trails need to be reconfigured with sustainable trail design. The MND notes, “There are no forestry or agricultural resources present.”...A check for historical agricultural use of the bar should also be made. The American River has a sketchy if not largely absent restoration record. So agricultural history consideration and if there is future agricultural use and potential need review. The MX track project needs to include a restoration element. ASRA OHV area trails are subject to frequent closures and needed repairs....Any Mammoth Bar project needs to correct existing ill-planned facility creation and management that the project as planned would extend...Today’s well established sustainable trail design and building techniques need to be applied on existing and the MX track area and OHV trails....Areas capable of supporting forests and in need of protection from major erosion from high rainfall need be considered for recreation areas

Response to Comment #O4-15: The comment lists concerns about agriculture and forestry, the need for restoration in the Auburn SRA area, and trail design but does not provide specific data or other substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. The project does not contemplate restoration within or adjacent to the project area as restoration is not part of the project. The project does include measures to ensure project construction and operation would not cause erosion. As described in Section 3.2.1, neither agricultural nor forestry activities occur within the project site, and none would be affected. Any such former uses on the project site are not part of existing conditions. See Response to Comment #O3-3 regarding baseline and Response to

Comment #O4-13 regarding erosion control. Section 2.3.1 describes the general track design concepts; the details would be developed during final design prior to construction.

Comment #O4-16: Needed wildfire history, and potential and prevention analysis is essential for the project. The incongruity on page 84 between the MND identifying the severe fire potential of the MX track area and multiple findings of no impact is remarkable....Landowners and agencies have reported inability to have fire prevention efforts complimented or continued on adjacent federal lands. The MND needs to address if and how these problems have been and continue to be addressed.

Response to Comment #O4-16: The project does not propose increasing the amount, extent, or intensity of use or changing the types of uses at Mammoth Bar and would not increase any potential for or risk from wildfire. The project would not change the level of wildfire risk above the existing baseline.

Comment #O4-17: Public safety including transportation to and from the OHV track area is at issue: MX track safety, accidents, helicopter evacuation at the immediate adjacent helipad need to be documented and considered against standard recreation road design and construction. Are there bike size limits for the MX track, and if so, what have they been and what are they planned to be? What growth in use would be expected from the improvements, and on what is the prediction based? ... Recreation roads have higher standards, and the OHV access road should be checked against recreation road standards.

Response to Comment #O4-17: The project does not propose increasing the amount, extent, or intensity of use or changing the types of uses at Mammoth Bar and would not increase any potential for accidents or other adverse safety incidents. The project would not change allowable uses within the Mammoth Bar OHV Area, and the same equipment allowed on the old track would be allowed on the relocated track. The access road would be constructed consistent with all applicable standards.

Comment #O4-18: Historic gold mining and ore processing has deposited mercury in the river sediments and this is mobilized by construction and major earth moving activity for the MX track. No doubt exists that Mammoth Bar was a major gold mining site for a number of years. A Phase I Environmental Assessment is necessary for this very large gold mining river bar and bar area ..., where great additional numbers of people will be present if the MX track is established compared to if it is not rebuilt, where river erosion could expose mercury, where flour mercury could be discharged into the river from road and track building and erosion of them, where intended changes in constructed mechanisms on the site that affect high water flow are planned to be removed without first knowing their purpose, and so on. Construction and suction dredging may dislodge gold mining mercury which has accumulated at the bar. The project is one that needs to be managed for hazardous materials/mineral resource issues.....

Response to Comment #O4-18: As noted in Section 3.9.1, no hazardous materials or areas identified on the Department of Toxic Substance Control's (DTSC) Hazardous Waste and Substances Site List are located within the Mammoth Bar OHV area. See Response to Comments #O2-3 and #O4-13 regarding erosion control measures, which would minimize any discharge of onsite soils into the river. See Response to Comment #O4-12 regarding the purpose of removing the groin wall. See Response to Comment

#O3-3 regarding the OHV area, including the MX track, as an existing use, which is properly considered part of the project baseline for CEQA purposes. The relocated track and other project activities would not expand the OHV area and would not increase the amount, extent, type, or intensity of use of the OHV area.

Comment #O4-19: Review of tribal and cultural including identification of indigenous and today openly known village past locations is a growing and essential part of the Sierra Club's process for land and water issues...It's not stated if a federal 106 consultation has taken place on this project.

Response to Comment #O4-19: CDPR and USBR consulted with the United Auburn Indian Community of the Auburn Rancheria on the project, and the tribe representative determined that the project would not impact tribal cultural resources (see Section 3.18.2). Details on USBR's compliance with Section 106 of the National Historic Preservation Act are provided in the Environmental Assessment.

Comment #O4-20: A number of items in this comment such as land and water issues, demonstrate the necessity to define the MND's geographic area of coverage and what intended limits of this may be. Examples of possible geographic limits are absence of mention of the current and proposed ASRA plans or why they are not considered, and limitation of considering environmental impacts beyond the 17.5 acre MX track project area or the ASRA OHV area.

Response to Comment #O4-20: The overall OHV area, which is an authorized, open, and operating facility, is not the project analyzed in the IS/MND; the project for the purposes of the CEQA analysis is strictly relocation of the track and related facilities within the existing OHV area. As noted in Response to Comment O1-2, the status of the Auburn SRA GP/RMP is described in Section 3.11.1 (see Errata). The relocation project is independent of and not dependent on the GP/RMP or its EIR/EIS analysis.

Comment #O4-21: Air pollution, greenhouse gas emissions, and climate change are, like much else that could originate at or because of the MX track are identified as less than significant impacts. The Placer County Air Pollution Control District and the California Air Resources Board are referenced on page 30 for their MX track and OHV responsibilities potentially related to the project, but the MND has not yet been referred either agency. That thresholds for land use projects exist is as far as this mention goes. The thresholds are not described. The MX project site is referenced on the same page for being at the edge of the Sacramento Air Basin, but this is also as far as it goes. Absent is discussion, consideration or description of pollutant levels from MX track recreation and competitions are. This needs to be addressed. Global level climate impacts may not be a primary individual track issue for this MX track project, though some measure of evaluation is needed to demonstrate that this is correct.... Red stickers ended in 2019. Soot and oxides, including carbon dioxide and, apparently, nitrogen oxides require considerable CEQA document attention... This needs to be reviewed cumulatively with emissions from the children's OHV area, Local air movement and canyon containment need to be included in this analysis, along with the possibility that pollutant concentrations under certain canyon and atmospheric conditions might affect the time of day, season or other aspects of MX track and trail use... What are the operational emissions that would be eliminated if the MX track is not built?

Response to Comment #O4-21: See Response to Comment #O4-3 regarding circulation and notice. The State CEQA Clearinghouse coordinated agency comments. Project impacts were assessed against the standard CEQA thresholds provided in Section 3.3 and the Placer County Air Pollution Control District (PCAPCD) standards specifically. PCAPCD is the agency regulating air quality in the county (see Sections 3.3.1 and 3.3.2). As stated in the IS/MND, once operational, the proposed project would not result in a change in attendance to the MX Track and, therefore, would not result in a change in operational emissions, thus negating the need for the additional analysis requested by the comment. Similarly, greenhouse gas impacts are analyzed in Section 3.8, which correctly notes that operations would not change as a result of the project, thus effecting no operational change to greenhouse gas emissions. See Response to Comment O3-3 regarding baseline and ongoing uses. CEQA does not require the IS/MND to evaluate the effects of eliminating an existing facility or other actions that are not part of the proposed project. The comment is correct that the Red Sticker program has been discontinued. The reference to the program has been omitted (see Errata); omission of the red sticker program discussion does not affect the analysis.

Comment #O4-22: Population, carrying capacity and sustainability project issues need to be mitigated with seasonal closure of Mammoth Bar. A seasonal rest period closing vehicle access based for wildlife and other purposes including restoration, is needed that is comparable to Upper Clementine Road that is generally closed from October to May.

Response to Comment #O4-22: A seasonal closure was not part of the proposed project and is not necessary to mitigate project impacts. The project does not propose increasing the amount, extent, or intensity of use or changing the types of uses at Mammoth Bar. See Response to Comment #O3-3 regarding the OHV area, including the MX track, as an existing use, which is properly considered part of the project baseline for CEQA purposes. See Response to Comment #O3-13 regarding project impacts on wildlife.

Comment #O4-23: The Mitigated Negative Declaration does not satisfy the requirement that an EIR must be prepared when, as for this project, a fair argument exists that there is substantial evidence in the record taken as a whole that a project may have a significant impact of the environment....Any decision about future of the MX track must be founded on adequate environmental impact disclosure. The MND does not provide any basis for rebuilding the MX track at Mammoth Bar. A sound CEQA study of the MX track including its impact on the ASRA surrounding it, is essential. The MND provides no basis for such a decision because without developing the issue areas described in this comment, it is clear that the project may have a number of significant impacts on the environment not addressed in the MND. The MND also demonstrates absence of the significant concern needed for areas outside of the OHV area. There seems little or no responsibility to review impacts outside of the OHV area boundary. Perhaps the project is thought to be subject to the rule that applies when OHV is reviewing a CEQA document for a project by another entity when it's comments are to be based on its areas of authority. The requirements for preparing a CEQA document for its own project are different as is demonstrated by Initial Study checklist. All three Mandatory Findings of Significance need a check in the Potentially Significant Impact findings (page 86). Preparation of an EIR is required.

Response to Comment #O4-23: All comments raised by the letter have been addressed. Many comments raise generalized concerns reflecting disagreement with the existing OHV area. Decisions regarding siting and overall operations of the OHV area, which is an authorized, open, and operating facility, are not the project analyzed in the IS/MND. The project for the purposes of the IS/MND analysis is strictly relocation of the track and related facilities within the existing OHV area. The basis for the project is provided in detail in Section 2.2. To the extent project activities could have offsite effects, they are addressed in the IS/MND, e.g., Section 3.1 Aesthetics (river views), 3.3.2 Air Quality (emissions), Section 3.4.3 (wildlife movement), etc. The comments have not provided substantial evidence that the project, as mitigated, may have a significant effect on the environment that cannot be mitigated or avoided. No further response is required.

Comment Email #I1, Paul Kekoni

Comment #I1-1: Nice to hear that this project is finally in the works. I believe that input from the local MX track designers is crucial as the track design's in the past have been, well to put it mildly (Dangerous) in some aspects of design. I realize that this is a State parks project and you guys have certain guidelines to adhere to, I am a Union worker..... so I know that everything has to go up the chain in order to get approved.

Response to Comment #I1-1: The comment expresses the opinion of the commenter. No comment is made on the adequacy of the Initial Study or its conclusions. No response is required.

Comment #I1-2: I've been riding MX since 1975...and still ride at 56 years of age. I hope that the Peewee's track is also in the works also because that needs to be addressed also.

Response to Comment #I1-2: CDPR anticipates the Kids Track would remain in its current location (see Figure 5) but may receive grooming or other maintenance.

Comment Emails #I2, Chris Poling; #I4, Michael Muldoon; and #I5, Michael Muldoon

These emails all requested the correct location for downloading and viewing the IS/MND. Since the emails do not have multiple comments requiring comment-specific responses, they are not duplicated here.

Response to Comments #I2-1, #I4-1, and #I5-1: The commenters requested clarity on how to access the IS/MND. CDPR provided the location for downloading the document.

Comment Emails #I3, Brett Powell; #I6, Tom Ceccarelli; #I8, Derek Slavensky; #I10, Jon Reed; #I11 Michael Maguire; #I12, Britt Davis; #I13, Holly Verbeck; #I14, Chase Genzlinger; #I15, Ted Hawkins; #I16, Jeffrey Hohlbein; #I17, Steven Terrell; #I18, Andrew Muhlbach; #I19, Mark Via; #I20, Tommy Venuti; #I21, Steve Mervau; #I22, Brian Scott; #I23, Todd Kohlmeister; #I24, Jim Borow; #I25, Rod Glazebrook; #I26, Garrett Schlegel; #I27, Kris Terrell; #I28, Brian Roth; #I29, Chaz Halbert; #I31, Peter Crowell; #I32, Chris Smith; #I33, Kyle Bross; #I66, Amy Sheppard; #I67, Robert Makinen, and #I73, Kelly Knipe

These emails all expressed support for the project without additional comment subjects. Some emails specifically expressed support for relocating the track farther from the American River, retaining the trials area, and other proposed project components. Since the emails do not have multiple comments requiring comment-specific responses, they are not duplicated here.

Response to Comments #I3-1, #I6-1, #I8-1, #I10-1, #I11-1, #I12-1, #I13-1, #I14-1, #I15-1, #I16-1, #I17-1, #I18-1, #I19-1, #I20-1, #I21-1, #I22-1, #I23-1, #I24-1, #I25-1; #I26-1, #I27-1, #I28-1, #I29-1, #I31-1, #I32-1, #I33-1, #I66-1, and #I67-1: The comments express the opinions of the commenters. No comment is made on the adequacy of the Initial Study or its conclusions. No response is required.

Comment Email #I7, Joanne Thornton et al.

Comment #I7-1: We are very involved in the ASRA proposed plan, with hopes the final EIR/EIS will take into account all of the concerns that have been raised throughout the Park. ... Is there a way to publish this, and future projects to get to a wider audience?

Response to Comment #I7-1: The Notice of Intent to Adopt the MND was distributed more broadly than is required by CEQA, including via the OHMVR Division's email list, which includes an extensive list of agencies, organizations, and individuals. CDPR also conducted media outreach. Interested individuals may contact the OHMVR Division and ask to be placed on the list for future notifications.

Comment #I7-2: [I]t will be great to see Mammoth Bar back up and running like it used to be years ago.

Response to Comment #I7-2: The comment expresses the opinion of the commenter. No comment is made on the adequacy of the Initial Study or its conclusions. No response is required.

Comment Email #I9, Terry Davis

Comment #I9-1: I'm wondering if you or Peter can tell me how many feet from the old track the new one would be. I've tried to find that info but have been unable to.

Response to Comment #I9-1: The track would be relocated upslope of the existing track, shifting the track roughly 400 feet at its westernmost edge. As shown in Figure 5, the southern edge of the new track would overlap the existing track's northern footprint.

Comment Email #I30, Daniel Chase

Comment #I30-1: I would like to voice my opposition to the proposed change of the Mammoth Bar track.

Response to Comment #I30-1: The comment expresses the opinion of the commenter. No comment is made on the adequacy of the Initial Study or its conclusions. No CEQA response is required. The commenter can contact Peter Jones, Environmental Scientist, via the contact information provided in the MND, for further project information.

Comment Email #I34, Chris Conover

Comment #I34-1: Is this input intended to be mainly focused on the environmental impact, or on the design of the track itself? I understand the need for both, but am interested in doing what I can to make the track as safe as it can be, while still being fun... If you are more focused on the environmental impact end of things, I would love to be able to talk/submit feedback to the people doing the design.

Response to Comment #I34-1: The comment provides input on the design of the MX track. No comment is made on the adequacy of the Initial Study or its conclusions. No response is required.

Comment Emails #I35, Cari Simonelli; #I36, Michael Allison; #I37, Phil Hamilton; #I38, Patrick Burke; #I39, Robert Webber; #I40 and #I41, Scott Rose; #I42, Brandt Kennedy; #I43, Spencer Smith; #I44, Mark Beers; #I45, Rayond Groshong; #I46, Kevin Murphy; #I47, Stephanie Lee; #I48, Mike Weber; #I50, Bert Casten; #I51, Dan Davis; #I52, Jeff Forslind; #I53, Steven Clark; #I54, Paul Master; #I55, Bob Terwilliger; #I56, Bert Casten; #I57, David Taylor; #I58, Rod McKenzie; #I59, Jeff G.; #I60, Dan McManus; #I61, Alan Carlton; #I62, Hines Custom Fence and Iron (commenter name unknown); #I63, Jeremy Davis; #I64, Josh Gassin; #I65, Patrick McPhetridge; #I68, Paul Clark; #I69, Epifanio Carrasco; #I70, Glenn Gehrke; #I71, Scott Grosser; #I72, James Williams; # I74, Dan King

These emails all expressed opposition to the project as designed based on the Trials Area being removed due to the track relocation and did not include additional comment subjects. Many of these emails noted the growth of the sport of trials and the collaborative and volunteer efforts that had gone into developing the current Trials Area at Mammoth Bar. Since the emails do not have multiple comments requiring comment-specific responses, they are not duplicated here.

Response to Comments #I35-1, #I36-1, #I37-1, #I38-1, #I39-1, #I40-1, #I41-1, #I42-1, #I43-1, #I44-1, #I45-1, #I46-1, #I47-1, #I48-1, #I50-1, #I51-1, #I52-1, #I53-1, #I54-1, #I55-1, #I56-1, #I57-1, #I58-1, #I59-1, #I60-1, #I61-1, #I62-1, #I63-1, #I64-1, #I65-1, #I68-1, #I69-1, #I70-1, #I71-1, and #I72-1: As stated in Section 2.3.1, the Trials Area would be relocated within the Mammoth Bar OHV Area. The new Trials Area would be created either within the existing Kids Track (Photo G) or in the northeast area of the damaged track footprint as shown in Figure 5. CDPR is committed to relocating the Trials Area and has already initiated discussion with representatives of the Sacramento Pacific International Trials Society (PITS), several members of whom commented on the IS/MND. These comments were not made on the adequacy of the Initial Study or its conclusions. No further response is required.

Comment Email #I49, Michael Muldoon

Comment #I49-1: I was shocked and disappointed to learn the trials area at Mammoth Bar may be tore out. ... Such an established, valued asset should not be destroyed.

Response to Comment #I49-1: See Response to Comments #I35 et seq.

Comment #I49-2: Of all the users of Mammoth Bar, the MX track is the noisiest and dustiest. To put it smack dab in the middle of the entrance to the park doesn't make sense. ... All of these user groups would be negatively impacted.

Response to Comment #I49-2: The MX Track location has been chosen as the area best suited to support the track while minimizing risk of flood damage and allowing room for all facilities, e.g., Trials Area, Kids Track, parking, picnic tables. These facilities would all be located east of the new track, which would be watered to minimize dust emissions. The OHV area is already subject to noise and dust from OHVs on days it is open, and the track relocation project does not propose to increase the number of motorized users or change the days of operation.

Comment #I49-3: I have been told that on occasion, on a severe storm, the entire area gets flooded right up to the entrance road. So this location wouldn't completely solve the flooding issue.

Response to Comment #I49-3: See Response to Comment #O3-5.

Comment #I49-4: I am a member of Sacramento PITS (Pacific International Trials Society). ... There is an increasing need for quality trials riding areas. I don't wish for OHV funds to be used to remove this valuable asset.

Response to Comment #I49-4: See Response to Comments #I35 et seq.

Attachment C. Mammoth Bar Motocross Track Relocation IS/MND ERRATA

CHANGES TO THE INITIAL STUDY

CEQA anticipates the introduction of new information during the environmental review process. As provided in CEQA Guidelines section 15073.5, recirculation of an MND is required when the document must be substantially revised after public notice of its availability has previously been given. A substantial revision is defined as: 1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or 2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. Recirculation is not required where the new information added to the MND merely clarifies or amplifies or makes insignificant modifications to the MND.

CDPR staff have evaluated the comments and clarifications made to the Initial Study. These revisions do not include substantive changes in the project description, the environmental setting, or in the conclusions of the environmental analysis, or otherwise provide significant new information that would require recirculation of the MND pursuant to CEQA Guidelines section 15073.5.

ERRATA

The following changes are made to the IS/MND to provide clarification in response to public comment. Page and section references made here refer to the IS/MND document. Text removed from the IS/MND is marked with ~~strike-out~~. New text is indicated by underline.

IS Page 27, Environmental Factors Potentially Affected

[The table is modified to “uncheck” the boxes by Hazards and Hydrology; Biological Resources remains checked]

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Transportation
<input type="checkbox"/>	Agriculture and Forestry Resources	<input type="checkbox"/>	Hydrology/Water Quality	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Utilities/Service Systems
<input checked="" type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Wildfire
<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Mandatory Findings of Significance
<input type="checkbox"/>	Energy	<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	None
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Public Services		
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Recreation		

IS Page 27, response to threshold b

Less than Significant Impact~~No Impact~~. The track relocation project would not damage scenic resources, ~~mature trees~~, rock outcroppings, or historic buildings. It may require removal of one mature live oak and willow in or adjacent to the existing trials area, which is already a disturbed area. Removing these trees would not affect scenic resources. There are no officially designated state scenic highways near or within view of the project area.

IS Page 30, Section 3.3.1

~~CARB has established emission standards for OHVs. OHVs that are non-compliant for CARB emissions standards receive a red sticker registration from the California Department of Motor Vehicles (CDMV), which must be affixed to the vehicle.~~

IS Page 46, response to threshold a

Less than Significant Impact with Mitigation. Given that recreation within the project area would be a continuation of long-term uses, the MX track would be relocated into an area already used for motorized recreation, and the project would not increase the duration or intensity of use, project operations would not significantly impact any candidate, sensitive, or otherwise special-status species.

Hardhead is assumed...

IS Page 46, response to threshold b

Less than Significant Impact with Mitigation. The project site is adjacent to the Middle Fork of the American River, which is a jurisdictional water. The project footprint contains eight non-tidal intermittent streams (seven erosional gullies and one engineered drainage ditch). These intermittent streams would be permanently impacted by construction activities since they are within the old MX Track, which is proposed to be returned to grade and within the proposed new parking area. The intermittent streams are potential waters of the State and subject to RWQCB and CDFW jurisdiction. The proposed project could have indirect effects on the Middle Fork due to sediment runoff and unintentional release of contaminants from construction activities, which could result in decreased water/habitat quality. Additionally, the project footprint includes riparian habitat as defined by CDFW. The proposed project includes grading within the Top of Bank as well as removal of riparian vegetation. Therefore, the proposed project will result in impacts to riparian habitat, intermittent drainages, as well as potentially impact the Middle Fork of the American River. However, with the implementation of Mitigation Measures BIO-1A to 1C, and BIO-5A to BIO-5F, the impacts from the project, including project operations, would be less than significant.

IS Page 50, response to threshold b

The track and other facilities would be relocated into areas that have been actively used for OHV recreation (trials), circulation, and parking. Once constructed, the relocated facilities would not cause new riparian impacts.

IS Pages 51-52, response to threshold d

Less than Significant Impact with Mitigation. Project construction activities would directly impact the intermittent drainages and riparian habitat due to grading and removal of vegetation within the project footprint, as well as potentially impact the

Middle Fork of the American River due to sediment runoff and unintentional release of contaminants. However, since the project site is adjacent to natural open space, terrestrial wildlife could move around the project area during construction. Additionally, the intermittent drainages are not likely to be used by aquatic wildlife since they only convey water during or briefly after rain events. Also, no work would take place below the OHWM of the Middle Fork of the American River. However, the project may still potentially impact wildlife movement within, upstream, and downstream of the project site during project construction activities. The proposed project is not expected to permanently impact existing wildlife movement corridors or create new barriers to wildlife movement as wildlife can readily move throughout the Mammoth Bar OHV Area. Fencing used around the MX track would not be a barrier to wildlife movement. Similar to the fencing used around the old track, fencing used on the new track would include openings allowing for passage of terrestrial wildlife. Even if some wildlife could not traverse the fenced track area, given the small footprint (approximately three-acre) of the track in the otherwise open area, including river frontage, rRelocation of the MX Track and parking area would maintain wildlife access across the site. As discussed under threshold a, project construction could impact nesting birds or bat nursery sites; however, with implementation of Mitigation Measures BIO-3A to 3C and BIO-4A to BIO-4B, the impacts from the project would be less than significant. Given existing uses of the project site, project operations would not significantly impact wildlife breeding sites.

Impact BIO-6: The proposed project has the potential to impact wildlife movement within, upstream, and downstream of the project area during project construction activities. However, with the implementation of Mitigation Measures BIO-2A to BIO-2E, the impacts from the project to wildlife movement would be less than significant.

IS Page 68, Section 3.10.1 Environmental Setting, Flood Flow Analysis

[insert after Table 2] CGS 2017 determined that most of the project area lies above the February 2017 high water line. This area is also well away from the cut bank erosion along the western edge of the existing MX Track area—at its closest point it is more than 100 feet from the bank. The proposed MX Track area would be partially inundated by high flow events having a low recurrence interval, but because the proposed area is broad and away from the channel braid where most of the erosional damage to the existing track occurred, water from high flow events would rise and recede with minimal erosive force.

IS Page 69, response to threshold c, iv

Less than Significant Impact. In compliance with the OHMVR Division's soil conservation guidelines, the site grading plan would include the construction of appropriately sized drainage features that are augmented by re-contouring that enhances dispersion of storm flows, resulting in a natural flow. Additionally, as recommended by CGS (2017), the project includes removing an obsolete groin wall that may be inhibiting natural drainage. Dismantling the groin and restoring the area to match the surrounding grade would reduce the project area's effect on natural drainage patterns and flood flows.

IS Page 70, Section 3.11.1 Environmental Setting

The project is located within lands of the Auburn SRA. The OHV uses that occur at Mammoth Bar are allowable uses in the SRA. The MX Track has been operating under the direction in the 1992 Interim Resource Management Plan for Auburn SRA and the terms of a 2000 Stipulation for Settlement and Dismissal Settlement Agreement between the Sierra Club, Friends of the River, and the Environmental Law Foundation (plaintiffs) against CDPR over its operation of the Mammoth Bar OHV Area. As a part of this Agreement, an interim management plan (~~IRMP~~) period was initiated that allows the OHV track and trail facility to continue to operate Sundays, Mondays, and Thursdays, and for the period October 1 through March 31, also on Fridays. The interim management plan prescribed in the settlement agreement IRMP will ~~would~~ stay in effect until the completion of a "comprehensive long-term management study. CDPR and USBR consider the of Auburn SRA General Plan/Resource Management Plan (GP/RMP) to fulfill this requirement for a long-term comprehensive study once it is completed. CDPR and USBR have released the Final EIR/EIS for the Auburn SRA GP/RMP. Although USBR has finalized and signed the GP/RMP EIS Record of Decision, CDPR has not yet made a decision on the GP/RMP. The GP/RMP cannot go into effect until the Park and Recreation Commission certifies the EIR and approves the plan ~~is in the process of preparing a GP/IRMP for both the Mammoth Bar OHV facility and the larger Auburn SRA. A Task Force has been set up to help direct the study.~~

IS Page 77, Section 3.16.2 Environmental Setting

No Impact. (Responses a and b.) The MX track is an existing use operating under the 1992 Auburn SRA GP/IRMP. In 2016 the attendance at Mammoth Bar was just over 13,000. Relocating and reopening the track would benefit the OHV community by allowing a high-quality motocross experience in an area that has high OHV demand.

The relocated track is not considered an expansion of the use of the OHV area and is not expected to increase the pre-storm use of the OHV area. Long-term OHV use in Auburn SRA has ~~will~~ been assessed in the GP/~~IRMP~~ recently released ~~currently in preparation~~ by CDPR and USBR. The GP/RMP has not yet been approved by CDPR.