



U.S. Department
of Transportation

**Federal Highway
Administration**

Memorandum

12300 West Dakota Avenue
Lakewood, CO 80228

Central Federal Lands Highway Division

Project: Evergreen Road Rehabilitation Project (CA FLAP CR393400(1)) Date: July 10, 2017

Location: Tuolumne County, California

Document: Categorical Exclusion per 23 CFR 771.117(c)26

From: Wendy Longley, Project Manager **WENDY M LONGLEY**
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Date: 2017.07.11 11:43:52 -0600

To: CFLHD Central Files – N:\CA\cr393400(1)

Through: Kelly Wade, Environmental Team Lead *KW*
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Introduction

The Federal Highway Administration, Central Federal Lands Highway Division (FHWA-CFLHD), in cooperation with Tuolumne County, the U.S. Forest Service–Stanislaus National Forest (STF), and the National Park Service–Yosemite National Park, is proposing improvements to approximately 7.4 miles of Evergreen Road, a County-maintained road, between State Route 120 (SR 120) and Mather Road. The Evergreen Road Rehabilitation Project (project) is located in southern Tuolumne County approximately 23 miles to the east of Groveland, California (Figure 1). Evergreen Road provides access to recreation areas in Yosemite National Park (e.g., Hetch Hetchy), Evergreen Lodge, Stanislaus National Forest, and Camp Mather, as well as some private lands. The project area encompasses approximately 130 acres along the road, which includes areas where road improvements, staging, and related activities would take place. This Categorical Exclusion documents the results of the National Environmental Policy Act (NEPA) compliance process.

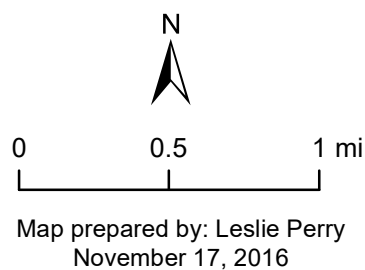
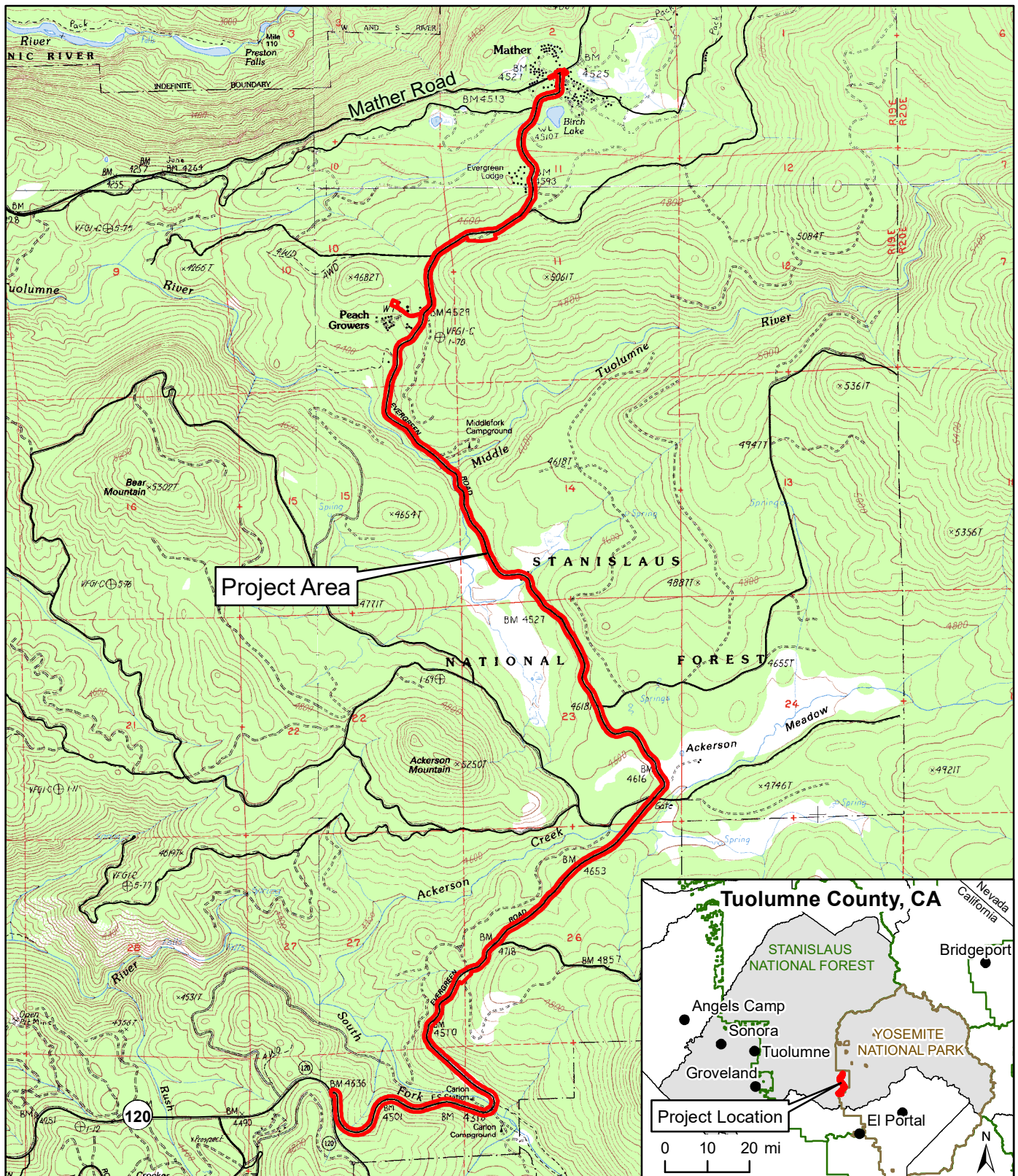


Figure 1. Project Area and Vicinity

**Evergreen Road
Stanislaus National Forest and Tuolumne County
Tuolumne County, California**

CA FLAP CR393400(1) Evergreen Road Project

Tuolumne County has applied for federal funding through the Federal Lands Access Program (FLAP) for improvements to Evergreen Road. The FLAP provides funds for work on public highways, roads, bridges, trails, and transit systems that are located on, are adjacent to, or provide access to Federal lands. These facilities must be owned or maintained by a state, county, town, township, tribe, municipal, or local government. This program was created under Moving Ahead for Progress in the 21st Century (MAP-21). It emphasizes projects that provide access to high-use recreation sites or Federal economic generators.

Purpose and Need

The purpose of the project is to improve safety for travelers on Evergreen Road, who are accessing the Stanislaus National Forest, Yosemite National Park, and recreation areas in the region, through minor roadway adjustments to provide consistent lane widths and shoulders. The existing two-lane, paved roadway is narrow, ranging from 11 to 22 feet wide, and has several winding curves that cause safety concerns. Other concerns along the road include heavy pedestrian use in some locations, narrow or no shoulders, steep drop-offs, rocks and trees at the edge of pavement, steep embankments adjacent to the road, inadequate roadway drainage, poor pavement condition, no lane striping, and reverse roadway slopes. Existing road conditions do not comply with current design standards. Average daily traffic along the road was estimated at 200 trips in 2015. Most travelers are using the road to access recreation areas. Road improvements are needed to alleviate traffic safety concerns, improve drainage and roadway conditions, and reduce the potential for user conflicts and accidents.

Description of the Proposed Action

The project consists of the resurfacing, restoration, and rehabilitation of Evergreen Road; minor widening; and drainage improvements. The improvements would take place on Federal lands managed by the STF and Yosemite National Park and on private lands, primarily within existing easements and rights-of-way (ROWs). Tuolumne County has an easement across one private property and prescriptive rights on two private properties. Temporary and permanent easements may be needed on two private parcels. FHWA-CFLHD will also establish a Highway Easement Deed for the road across National Forest System (NFS) lands to formalize an easement for the County to operate and maintain the roadway.

For purposes of the design, the road improvements have been separated into three segments, which are labeled as Segments 1, 2, and 3 on Figure 2a-f. Segment 1 extends from the intersection of SR 120 (Mile Post [MP] 0) north to approximately MP 1.4 (Figure 2a). Improvements along this segment would be within the existing roadway limits (a 32-foot-wide corridor) and would include pulverizing existing road pavement and paved ditches, removing and replacing existing asphalt curb, paving existing ditches, paving and striping the roadway to establish consistent lane and shoulder widths, potentially lining existing culverts, and installing guardrail and signs where needed for safety considerations. Segment 2 extends north from approximately MP 1.4 to approximately MP 6.7 (Figure 2a-e). Improvements along this segment would be within a 40- to 100-foot-wide corridor and would consist of pulverizing the existing road pavement, widening the roadway to establish consistent lane and shoulder widths, striping the roadway, installing guardrail and signs where needed for safety considerations, potentially replacing the Stone Creek culvert, and building ditches along the roadway and replacing existing

culverts as needed to improve drainage. Segment 3 extends from approximately MP 6.7 north to approximately MP 7.4 to the terminus of Evergreen Road at Mather Road (Figure 2e). Improvements along this segment would be within a 50-foot-wide corridor and would consist of pulverizing the existing road pavement, rebuilding the roadway to establish consistent lane and shoulder widths, adding asphalt curb and paved ditches along the roadway as needed to allow for better drainage, striping the roadway, installing guardrails and signs where needed for safety considerations, and replacing existing culverts as needed to improve drainage beneath the roadway.

Three bridges at the South Fork Tuolumne River, Middle Fork Tuolumne River, and Ackerson Creek were recently replaced and are in good condition; therefore, no structural work is planned at these locations. The existing asphalt on the bridge decking would be milled to a depth of approximately 1 to 2 inches and repaved with new asphalt. Safety improvements, such as guardrail improvements or replacement, may be necessary; however, the extent of this work would be limited to the bridge approaches and bridge deck with no work being conducted within the water channels or on the stream banks. No other work at these bridge crossings is proposed (EC-1 in Attachment 1, Table 1-2).

Existing fencing and utilities along the road would be relocated as needed to accommodate the proposed improvements. Herbaceous and woody vegetation would be cleared along the proposed roadway and shoulders, and tree removal would be limited to the extent necessary to accommodate the consistent road widths, shoulders, and clear zones. The clear zone along the road would be the width of the roadway and shoulders plus up to 3 feet from the edge of pavement. Most of the road improvements would take place along the existing roadway where the depth of ground disturbance would be limited to the existing pavement depth or associated fill. In areas where the new drainage improvements are needed, the anticipated depth of ground disturbance could be up to 2 feet. Some cuts into and fills on adjacent hill slopes may be necessary to accommodate the road improvements, particularly along segment 2; the specific amount and locations of cuts will be determined as the design progresses. Blasting of boulders or bedrock may be necessary at several locations to accommodate the road improvements. Eight potential blasting locations have been identified around MP 5.0-5.1, 5.2-5.3, 5.7-5.8, 6.6-6.9, and 7.1-7.2 (Figure 2c-e). Other blasting locations may be identified by the contractor during initial earthwork activities.

Six potential staging areas have been identified along the road or in previously disturbed areas just off the road. Two potential staging areas are in previously burned areas off the east/south side of the road, a 1-acre area near MP 1.8 and a 2.4-acre area near MP 6.4. Two potential staging areas are in previously disturbed areas along the road at MP 3.6 (0.1-acre) and MP 5.0 (0.16-acre). Off the west side of the road near MP 5.9, a previously disturbed clearing, about 1 acre in size, associated with a water storage tank could be used for staging. At the northern end of Evergreen Road, where it intersects Mather Road, parking lots could be used for staging if they are not in use by recreationists at Camp Mather and with approval from the City and County of San Francisco. The contractor will identify which areas will ultimately be used for staging and will establish the limits for staging areas based on the six areas identified herein (EC-2 in Attachment 1, Table 1-2). Staging areas on NFS land that are not immediately adjacent to the road will require a special use permit from the STF, and staging areas on private land will require authorization from the landowner.

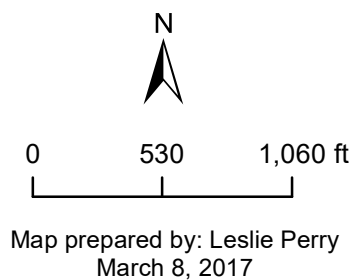
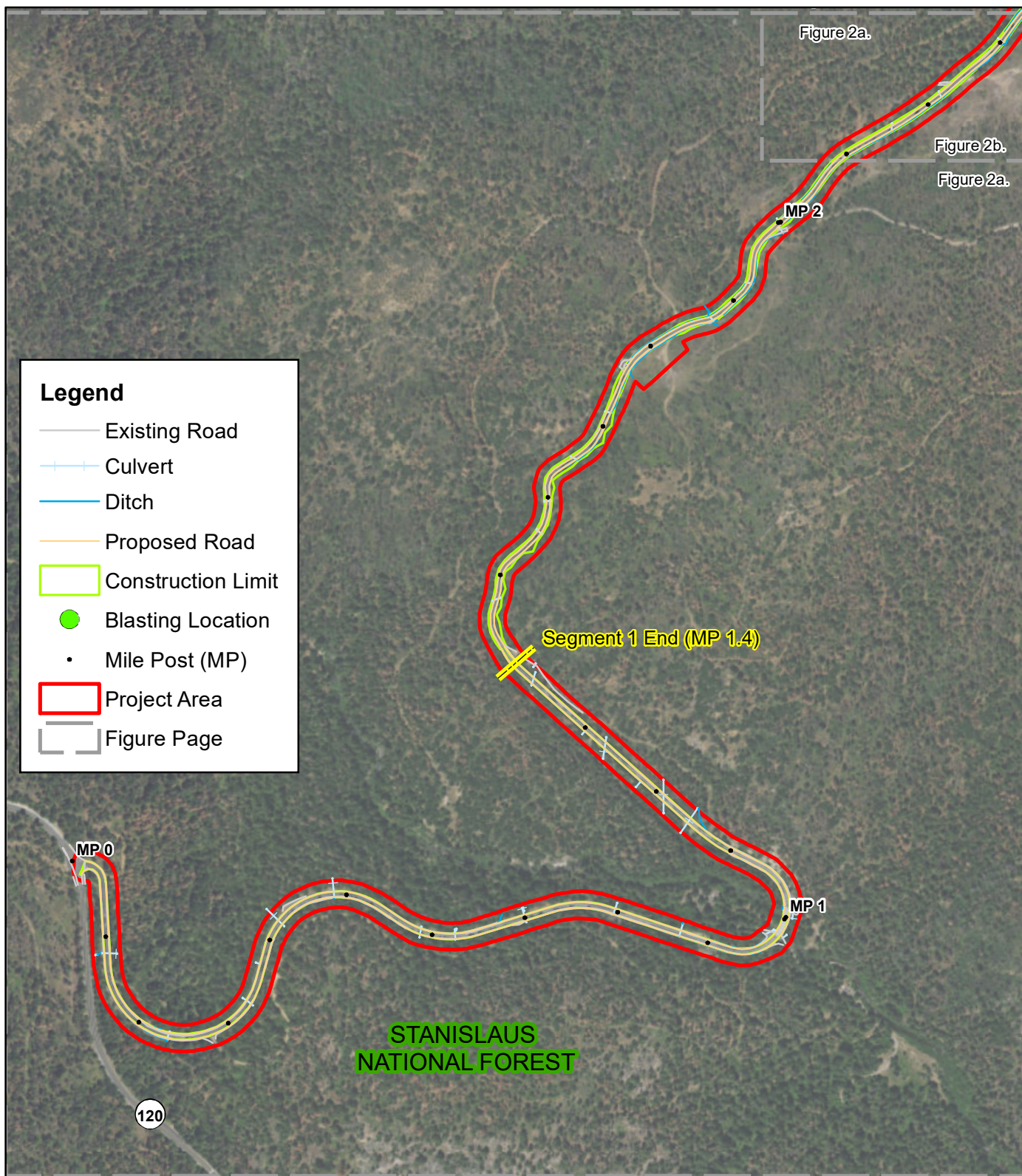


Figure 2a. Project Design (MP 0 to 2.2)

**Evergreen Road
Stanislaus National Forest and
Tuolumne County, California**

CA FLAP CR393400(1) Evergreen Road Project

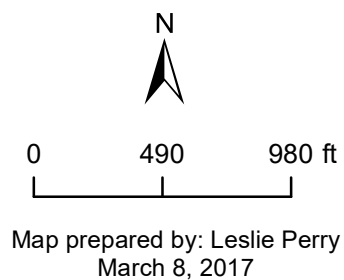
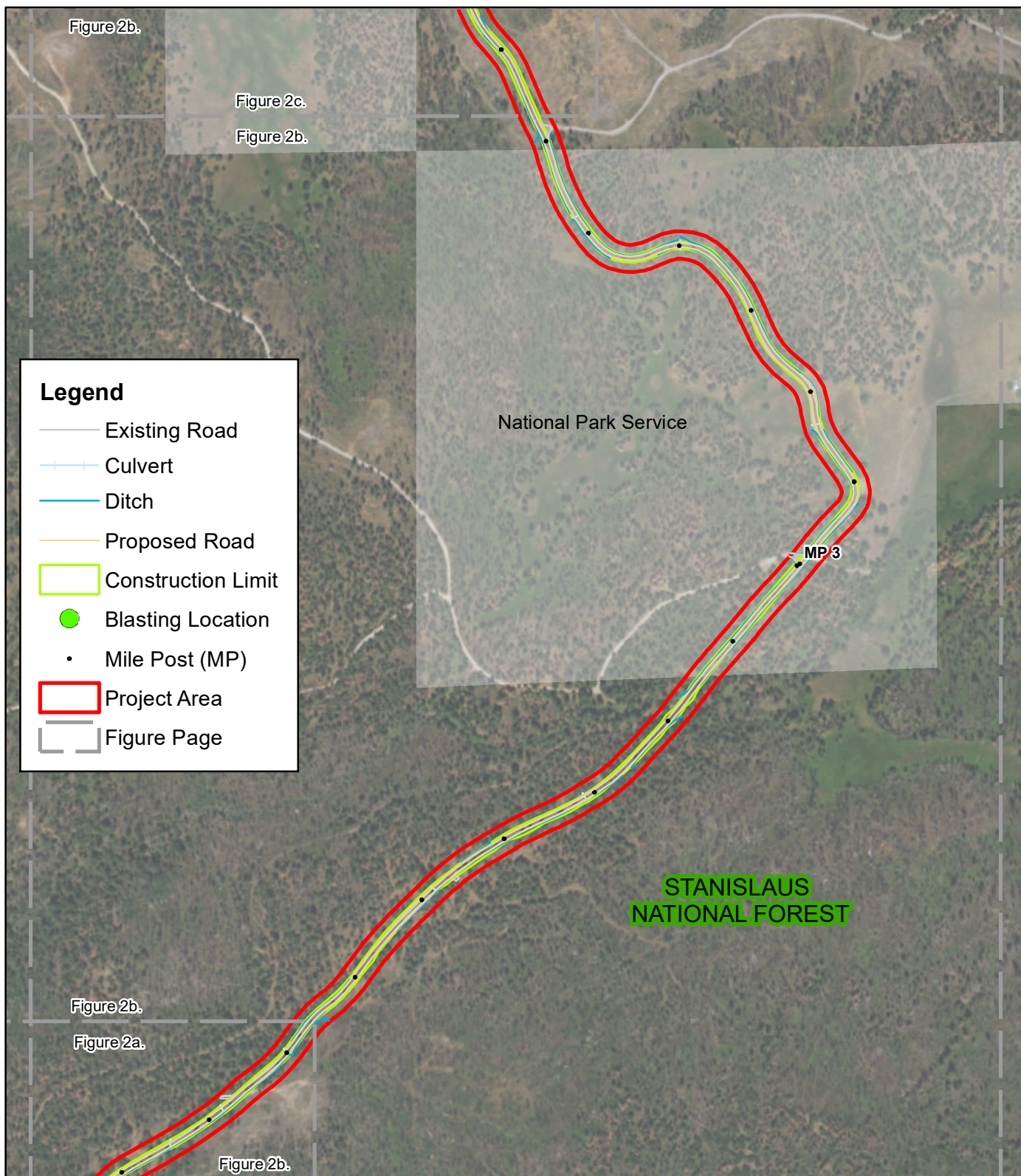
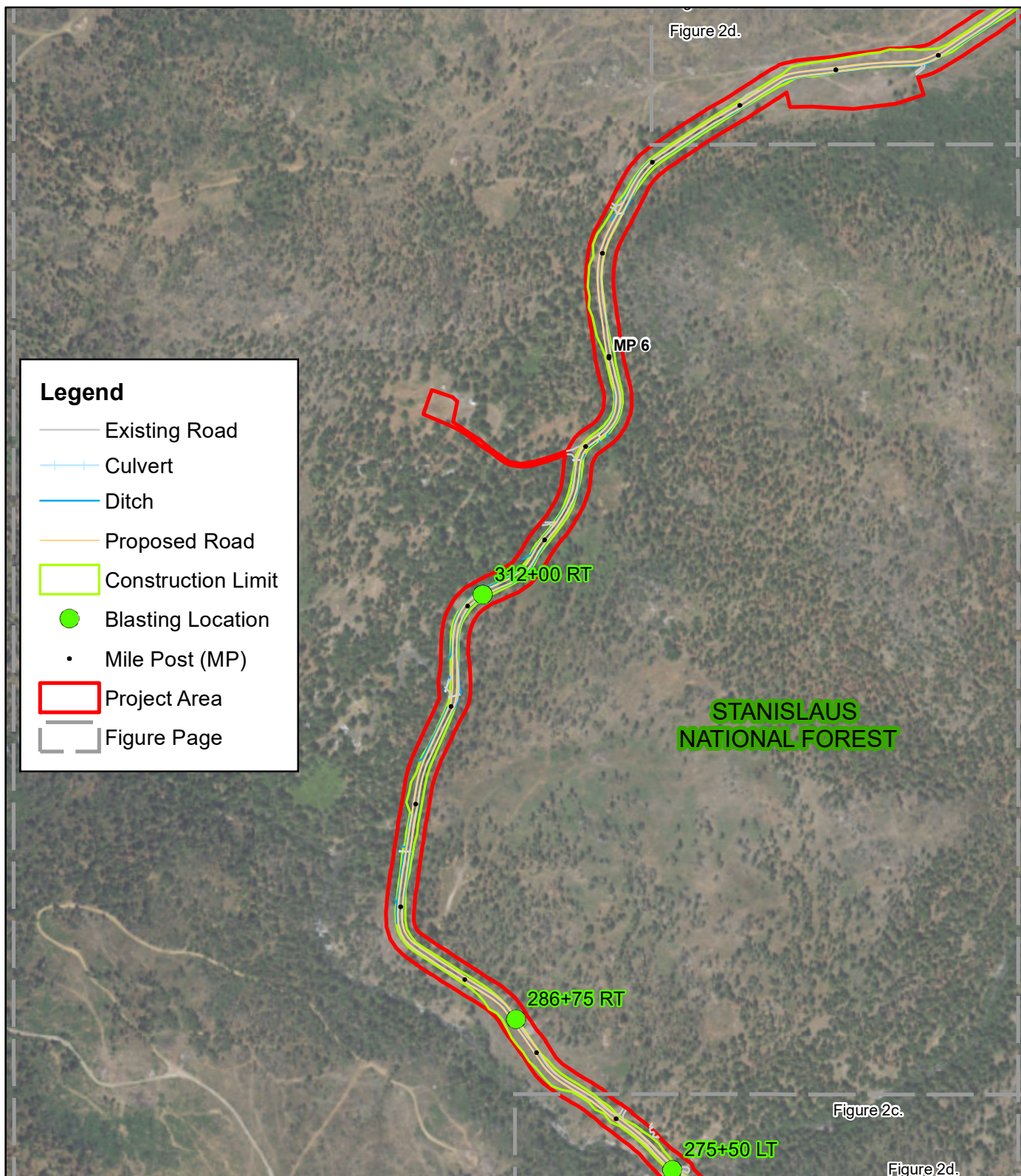


Figure 2b. Project Design (MP 2.2 to 3.7)

**Evergreen Road
Stanislaus National Forest and
Tuolumne County, California**

CA FLAP CR393400(1) Evergreen Road Project



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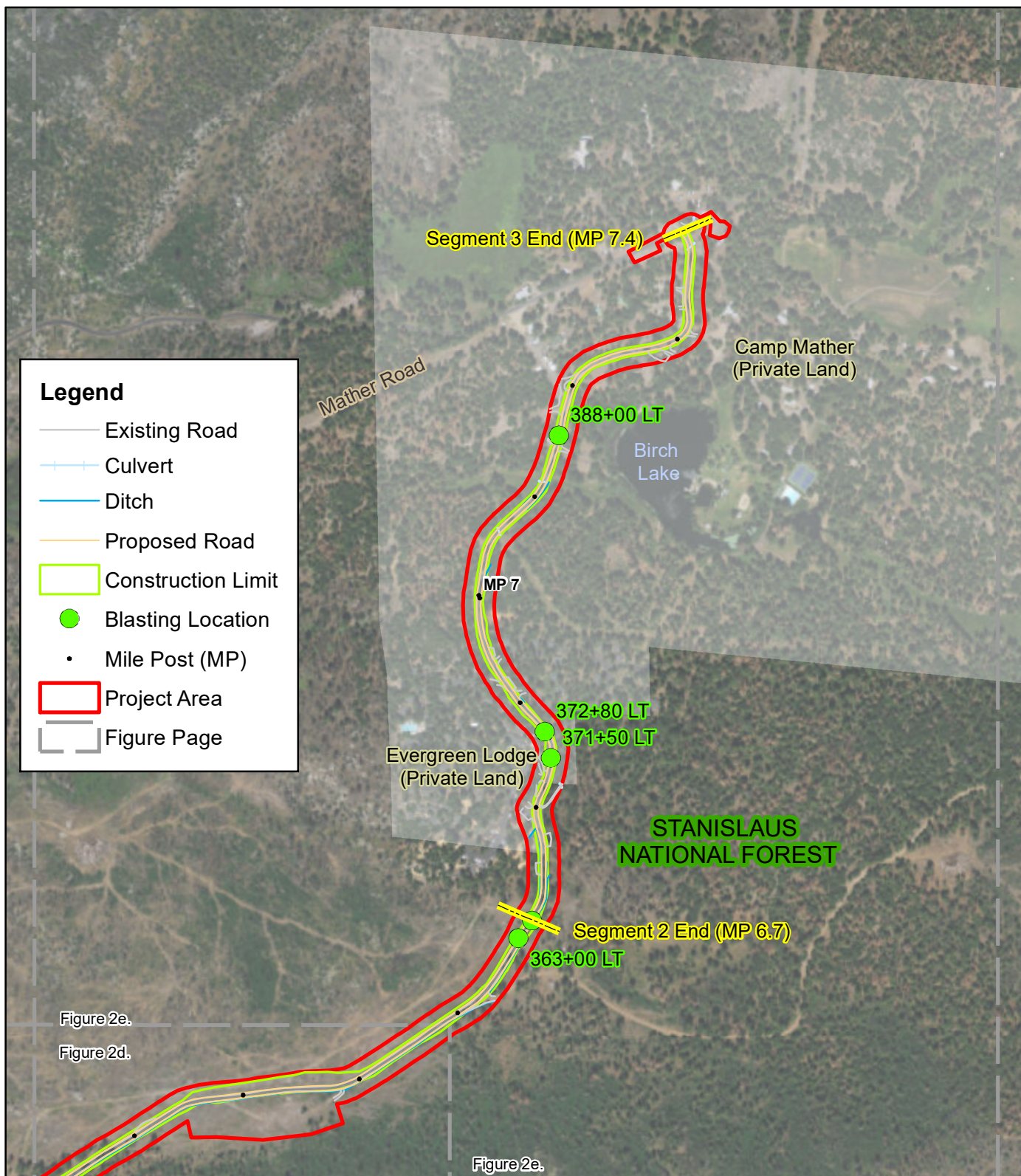
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Map prepared by: Leslie Perry
March 8, 2017

Figure 2d. Project Design (MP 5 to 6.4)

Evergreen Road
Stanislaus National Forest and
Tuolumne County, California

CA FLAP CR393400(1) Evergreen Road Project



Federal Highway Administration-
Central Federal Lands
Highway Division



0 450 900 ft

Map prepared by: Leslie Perry
March 8, 2017

Figure 2e. Project Design (MP 6.4 to 7.4)

Evergreen Road
Stanislaus National Forest and
Tuolumne County, California

CA FLAP CR393400(1) Evergreen Road Project

Construction of the proposed road improvements is expected to be scheduled for 2020 and would last one construction season. Initial earthwork activities, particularly blasting, would be scheduled prior to March 1, unless authorized by FHWA-CFLHD. For culvert improvements, work in waters of the U.S., including streams and wetlands, would be scheduled during the dry season, which is typically between mid-April and mid-October, or when no flowing or standing water is present, which may require a diversion plan to dewater the work area (EC-3 in Attachment 1, Table 1-2). The construction year is subject to change based on the availability of funding and receipt of permits and approvals for the project.

FHWA-CFLHD will retain a construction contractor for the project. The contractor will be responsible for implementing standard construction practices and best management practices (BMPs) in accordance with FHWA's Standard Specifications for Construction of Roads and Bridges on Federal Highway Projects (FP-14) and the Special Contract Requirements specific to this project and for complying with applicable permits and authorizations, including environmental commitments identified for this project (see Table 1-1 in Attachment 1).

Summary of Public, Agency, and Tribal Involvement

FHWA-CFLHD has coordinated with Tuolumne County, STF, Yosemite National Park, private landowners, and Native American tribes as part of the planning and design phase of the project. Copies of applicable correspondence can be found in Attachment 2. In August 2013, FHWA-CFLHD conducted an initial meeting with STF, Yosemite National Park, and the County to discuss funding and agreements for the project. Due to funding concerns, the project was temporarily delayed until 2015, when the County re-submitted its FLAP application and FHWA-CFLHD re-initiated the planning and design phase. Representatives from Tuolumne County, STF, and Yosemite National Park participated in a 15 percent design review meeting and field visit in September 2016 to provide input on preliminary design drawings and desired outcomes of the project. FHWA-CFLHD also met with two property owners (the Ericksons and Evergreen Lodge) as part of the field visit. Following the design review meeting, FHWA-CFLHD sent letters to Camp Mather, San Francisco Recreation and Parks, the Peach Growers Tract Association, and Aspen Valley homeowners to solicit input from these stakeholders on the project and issues they would like to see addressed during the design and environmental review processes. Some property owners expressed interest in the project and had follow-up conversations with FHWA-CFLHD representatives. FHWA-CFLHD has also coordinated with STF on Federal requirements and obtained input from STF on the findings of effects on historic properties and federally listed species.

In compliance with Section 106 of the National Historic Preservation Act (NHPA), FHWA-CFLHD sent letters to Native American tribes on October 20, 2016, to obtain information on cultural resources they may be concerned with in the project area. The Native American Heritage Commission provided contact information for three tribes with potential interest in the project: Chicken Ranch Rancheria of Me-Wuk, Tuolumne Band of Me-Wuk, and Southern Sierra Miwuk Nation. As the lead federal agency on the project, FHWA-CFLHD is the lead for Section 106 consultations and will provide results of the consultations to STF and Yosemite National Park for their review and files. The Tuolumne Band of Me-Wuk responded via letter on October 25, 2016, expressing interest in consulting on the cultural resources report and any proposed protection measures. FHWA-CFLHD sent a copy of the cultural report to the tribe on December

19, 2016, and the tribe responded via email on January 10, 2017, that they had no major concerns with the project but would like to be informed about any inadvertent discoveries.

Also in compliance with Section 106 of the NHPA, FHWA-CFLHD sent a letter to the California State Historic Preservation Officer (SHPO) on January 27, 2017, to consult on the project and present the findings of the cultural resources investigation. The SHPO concurred with eligibility determinations for the cultural sites in the project area on May 26, 2017 and with the determination of no adverse effect on historic properties on July 6, 2017.

Resource Evaluation

The proposed action would not affect the following resource topics because the resource is either not present or would clearly not be affected based on the nature of the action. These topics are not discussed further:

1. Coastal Resources—The project area is not near the coast.
2. Environmental Justice—The project would improve access to recreation areas and benefit travelers along Evergreen Road. It would not disproportionately affect minority or low income populations.
3. Farmlands—The project area does not contain important farmland.
4. Floodplains—The project area is not in a designated flood zone or along a floodplain.
5. Geology and Soils—The project area does not contain unique geologic or soil resources or have a high risk of geologic or soil hazards. Standard construction practices will be implemented to minimize soil erosion (SC-1, 15, and 16 in Attachment 1, Table 1-1).
6. Hazardous Waste and Materials—The project area does not contain any active hazardous waste sites or known hazardous materials. Standard construction practices will be implemented to prevent spills and soil or water contamination from hazardous materials used during construction and ensure proper handling of hazardous materials and waste if generated during construction (SC-8, 9, 10, and 21 in Attachment 1, Table 1-1).
7. Paleontological Resources—The geologic units underlying the project area are not known to be fossil-bearing.
8. Section 6(f) Lands—The project area does not contain any Section 6(f) lands.
9. Socioeconomics—The project would not affect local demographics, and expenditures for construction would benefit the local economy.
10. Wild and Scenic Rivers—Evergreen Road is not near a wild and scenic river.

The proposed action could affect the resource topics discussed below, but the impacts are considered negligible or minor with implementation of standard construction practices and project-specific environmental commitments, as described in Attachment 1.

Air Quality

Tuolumne County is designated non-attainment for ozone under the California Ambient Air Quality Standards (California Air Resources Board 2016). The county is designated as attainment or unclassified for all National Ambient Air Quality Standards and other California standards. Based on the attainment status, federal transportation conformity requirements under the Clean Air Act do not apply.

Temporary, short-term emissions would occur during the construction period as a result of fugitive dust, equipment exhaust, paving, and related activities. These emissions could affect local air quality, but the emissions are expected to dissipate near the work area and would not affect regional air quality. The construction contractor will be responsible for implementing standard dust control measures (SC-13, 16, and 19 in Attachment 1, Table 1-1) and controlling emissions in compliance with Tuolumne County guidance (EC-4 in Attachment 1, Table 1-2). Construction emissions generated by activities along Segments 1 and 2 would not affect public health based on the few sensitive receptors and the transient nature of recreationists along those segments. For activities along Segment 3, recreationists at adjacent recreation areas may notice odors, dust, and exhaust near the road during construction activities, but these emissions are not expected to adversely affect public health based on the short duration of construction (a few months at most along Segment 3).

Cultural Resources

Based on the cultural resources investigation and survey conducted in September 2016, several cultural resources have been recorded in and near the project area (HDR 2016). Most of these resources are historic road or railroad segments and structures associated with past ranching and farming activities. Several prehistoric sites have also been recorded in the area and provide evidence of early occupation by Native Americans, such as the Me-Wuk Tribe, which has ancestral ties to the area. Some of these resources are considered eligible for listing to the National Register of Historic Places and are considered historic properties pursuant to Section 106 of the NHPA. Table 1 presents an overview of the historic properties in the project area. Descriptions of the historic properties, as well as isolated resources and other cultural resources not deemed eligible for listing, are in the cultural report (HDR 2016). Based on the known presence of numerous cultural resources along Evergreen Road, the potential for previously undiscovered, buried resources is high between Ackerson Meadow and the Middle Fork of the Tuolumne River. Previous disturbance in the southern and northern portions of the project area reduces the potential for buried resources. Human remains are unlikely to be encountered based on the previous disturbance and history of the area.

Table 1. Historic Properties in Project Area

Resource Number*	Resource Description	Eligibility Rationale	Proximity to Road
P-55-001239	Prehistoric site with bedrock milling features and lithic scatter	Could contribute to understanding of human prehistory in the area	Road passes through site, but features away from roadway
P-55-001250	Prehistoric site with bedrock milling features and lithic scatter	Could contribute to understanding of human prehistory in the area	Road passes through site, but features away from roadway
P-55-003645	Historic Stone Meadow Ranch with cabin, barn, and associated historic resources	Eligibility assumed for this project due to lack of survey	Road passes through site, but features away from roadway

Resource Number*	Resource Description	Eligibility Rationale	Proximity to Road
P-55-004371	Prehistoric site with lithic scatter	Eligibility assumed for this project based on previous Forest Service evaluation	Road is near site, but features likely east of road
Camp Mather/Hog Ranch Historic District (P-55-009488)	Various prehistoric and historic resources at Camp Mather and Evergreen Lodge	Historic integrity and association with historic events; prehistoric seasonal camp use	Road passes through District, but features away from roadway (except HDR-2)
P-55-009491	Camp Mather/Hetch Hetchy Gateway Sign	Historic integrity with rustic style and feeling	Road crosses between the sign posts
P-55-009492	Prehistoric site with bedrock milling feature	Eligibility assumed due to lack of testing	Road is a few feet east of site

Most of the proposed road improvements would be limited to the existing roadway and adjacent disturbed areas. Although Evergreen Road passes through or near several cultural resources, the improvements would have little to no impacts on cultural resources. For those cultural resources that are not eligible for listing and fall within the construction limits, the minimal disturbance of the resource would not remove important aspects of prehistory or history or prevent researchers from obtaining information on past uses of the area. Those resources have already lost their integrity and do not contribute unique information on past uses. For the four prehistoric sites that are eligible, the improvements are not likely to disturb intact portions of the sites, but ground disturbance outside the roadway or previously disturbed areas could expose buried resources or disturb some features of the sites. FHWA-CFLHD will require its contractor to install exclusionary fencing along the construction limits near three of the sites (P-55-001239, P-55-004371, and P-55-009492) and will show the fencing locations on the design plans (EC-5 in Attachment 1, Table 1-2). Due to the limited knowledge of the extent of the other prehistoric site (P-55-001250), FHWA-CFLHD will ensure an archaeological monitor is present if ground disturbance in the mapped boundaries of the site extends beyond the roadway and previously disturbed areas (EC-6 in Attachment 1, Table 1-2). Although the project could affect these prehistoric sites, the determination under NHPA is no adverse effect because the project would not affect contributing elements of the prehistoric sites or their eligibility.

Although Evergreen Road passes through the historic Stone Meadow Ranch (P-55-003645), the proposed road improvements would not affect historic features of this site. Similarly, the road improvements would take place in the boundaries of the Camp Mather/Hog Ranch Historic District (P-55-009488), but they would not affect most of the contributing elements of the District, which are found outside the project area. The road alignment through the District would not change, and the project would not affect the eligibility of the District. The Camp Mather/Hetch Hetchy Gateway Sign (P-55-009491) restricts the road width and would need to be modified to accommodate the road improvements and establish a consistent road width through Camp Mather. Based on background research, the sign and posts are no longer the original from

the 1920s or earlier. The main features of this sign are its rustic style and strong sense of historicity. As part of the project, the sign and posts would be temporarily dismantled and one or both of the foundations would be relocated to accommodate the wider road. The sign and vertical posts would be preserved and used to rebuild the sign in the same location. One or both foundation(s) may be rebuilt just outside the roadway, and a longer horizontal post would be placed across the vertical posts for the sign. FHWA-CFLHD will prepare a sign removal and rehabilitation plan that describes the specific methods and designs for removing and rebuilding the sign to retain its rustic style and comply with the Secretary of Interior's Standards for Rehabilitation (36 CFR 67) (EC-7 in Attachment 1, Table 1-2). Based on this analysis and the environmental commitment, the determination under NHPA is no adverse effect because the project would not affect contributing elements of the historic sites or their eligibility. The SHPO concurred with the effects determination on July 6, 2017.

Ground disturbance outside of the roadway or previously disturbed areas could expose previously undiscovered, buried resources that may contribute to previously recorded sites or be part of newly discovered sites. Human remains are not likely to be encountered, but excavations beyond the existing fill depths could also expose buried remains. FHWA-CFLHD will require its contractor to comply with applicable laws and regulations for discovery of cultural resources or human remains (SC-3 and 5 in Attachment 1, Table 1-1) and ensure proper evaluation and treatment of any discoveries during construction (EC-8 in Attachment 1, Table 1-2).

Fire Hazard

Evergreen Road travels through a forested area with a very high fire hazard (California Department of Forestry and Fire Protection 2008). The 2013 Rim Fire, which burned an area of about 257,314 acres in the Tuolumne River watershed, demonstrates the risk of wildland fire in the project vicinity. Much of the project area was burned, and the Forest Service is in the process of removing hazard trees and restoring burned portions of the STF (Forest Service 2014a, 2014b). Despite the fire, dense patches of forest and heavy underbrush are still present in portions of the project area and nearby, creating a fuel source for fires.

Construction activities would involve the use of equipment that could cause a fire if not properly maintained or operated. FHWA-CFLHD and its contractor will comply with the STF fire plan, which identifies responsibility for fire prevention and suppression activities and establishes a suppression plan for fires (EC-9 in Attachment 1, Table 1-2). The risk of wildland fire associated with the project is considered low because most construction activities would be along the existing roadway with minimal work in vegetated areas.

General Wildlife

Forested habitats in and near the project area could support nesting migratory birds, such as acorn woodpecker (*Melanerpes formicivorus*), kestrel (*Falco sparverius*), mountain bluebird (*Sialia currucoides*), northern flicker (*Colaptes auratus*), and western bluebird (*Sialia mexicana*) (STF 2014d). The bird breeding season is generally March 1 to July 31, which varies by species and weather conditions. The Migratory Bird Treaty Act protects migratory birds and their nests, eggs, and parts. FHWA-CFLHD is responsible for ensuring compliance with the Act. As a federal land management agency, STF must also comply with its Land and Resource

Management Plan, as amended, which provides guidance for the conservation of migratory birds, and the 2008 Memorandum of Understanding between the USDA Forest Service and the USFWS to Promote the Conservation of Migratory Birds, which strengthens migratory bird conservation through enhanced collaboration and cooperation between the agencies and others.

Construction activities would overlap the breeding season and could disturb nesting activity of migratory birds in and near the project area. Tree removal, in particular, could result in damage to nest sites or disruption of nesting activity, if an active nest is present in the trees being removed. General disturbance from construction noise and other activities would be similar to, but slightly higher than, existing disturbance associated with traffic and recreational and other uses of the area. Most birds that nest along Evergreen Road have likely become acclimated to the existing disturbance, and nesting activity for those birds would not be affected. Overall, the project would affect a negligible amount of coniferous forests that could support migratory birds, and extensive areas of similar habitat exist in the surrounding area. FHWA-CFLHD will coordinate with the contractor to schedule tree removal outside the breeding season or conduct a nesting bird survey in trees to be removed and protect active nest sites (EC-10 in Attachment 1, Table 1-2).

Land Use and Planning

STF manages NFS lands in and near the project area in accordance with its Land and Resources Management Plan (Forest Service 1991) and the latest Forest Plan Direction (April 2010, as amended January 2016). Forest lands are part of the Highway 120 scenic corridor and developed recreation sites, which are managed for scenic quality and recreation opportunities. Yosemite National Park recently acquired land at Ackerson Meadow and is continuing management of the land based on prior uses (ranching activities). Tuolumne County's General Plan (1996) guides uses of and activities on private lands in unincorporated areas of the county. Private lands in and adjacent to the project area are designated for parks and recreation, timber production, and agriculture (grazing uses). Recreation areas along Evergreen Road include Evergreen Lodge, a group of rentable cabins with various amenities; Camp Mather, a San Francisco Recreation and Parks-managed family camp with cabins; Dimond O, a campground managed by STF; and Middle Fork and Carlon day use areas, picnic areas managed by STF. Dispersed recreation, such as hiking, fishing, hunting, and wildlife viewing, also occurs in the general area. Pedestrians use the road and shoulders in the northern portion of the project area, near Camp Mather and Evergreen Lodge, and at Carlon Bridge in the southern portion to access trails and pursue recreation activities in those areas. Parking areas and pull-outs are located along the road as well. Evergreen Road also provides access to other recreation areas on the Stanislaus National Forest and in Yosemite National Park and has an average daily traffic estimate of 200 trips, with the highest number of trips between Memorial Day and Labor Day.

The project would be consistent with the applicable land management plans based on the relatively minor road improvements and limited amounts of additional easements needed to accommodate the improvements. No additional ROW or easements are needed for Federal lands, and a Highway Easement Deed will be executed for STF-managed lands. FHWA-CFLHD will coordinate with private landowners to acquire additional easements, as needed. Temporary easements are needed for staging and laydown areas, and permanent easements are for minor roadway widening across the private properties to establish consistent lane and road widths and

long-term maintenance by the County. Where road improvements encroach on intersecting roads and driveways, a pavement apron would be installed to transition the new roadway to the existing road or driveway.

Temporary land use disruptions would occur during construction activities when lane closures are necessary and activities are near recreation areas. The construction contractor will be responsible for implementing traffic-control measures and other standard construction practices to minimize disruptions (SC-2, 13, and 14 in Attachment 1, Table 1-1). Other than traffic delays of about 30 minutes, no use-related issues are expected along Segments 1 and 2. With the proximity of recreation areas, specifically Evergreen Lodge and Camp Mather, to the roadway along Segment 3, recreationists accessing and using the recreation areas could experience disruptions or nuisances, such as noise, odors, and dust, during construction. Construction along Segment 3 would last a few months at the most, and some earthwork, such as blasting, is expected to be scheduled prior to March 1. Other construction activities, such as paving and road striping, may take place in summer months. To minimize access concerns, the contractor will notify property owners and emergency service providers of the construction schedule and will ensure access to adjacent properties is maintained throughout construction (EC-11 in Attachment 1, Table 1-2). Use of parking areas and pull-outs along Evergreen Road would be temporarily restricted during road improvements adjacent to those areas, but other nearby parking areas would remain open during the recreation season. Some pull-outs may be used for staging and would be closed until all staged materials are removed.

Noise

The project area and surrounding area are rural with few sensitive receptors. Recreationists are the primary receptor along Evergreen Road, with the highest density in the northern portion of the project area, near Mather Road, where cabins and other temporary residences are located. Visitor use of the recreation areas is seasonal and highest between Memorial Day and Labor Day. No permanent residences are located along Evergreen Road in or near the project area.

Construction activities would generate noise and may include periodic blasting in some locations, which would mostly take place outside the peak recreation season. Few receptors at day use areas and the campground would be affected by noise-generating activities along Segments 1 and 2. These recreation areas are set back from the road, and construction-related noise would attenuate or be masked by surrounding vegetation, reducing the exposure of recreationists to noise impacts. Recreationists near Segment 3 may notice construction noise, particularly during heavy equipment use, but the noise would be limited to day-time hours when higher noise levels are considered acceptable. No night-time activities are planned.

This project meets the criteria for a Type III project established in 23 Code of Federal Regulations 772 because it 1) does not involve added capacity, 2) does not involve construction of new through lanes or auxiliary lanes (other than turn lanes), 3) does not involve changes in the horizontal or vertical alignment of the roadway that would halve the distance between the roadway and noise sensitive receptors, 4) would not expose noise sensitive land uses to a new or existing highway noise source, and 5) does not involve any other activity classified as a Type I or Type II project. Further noise analysis is not required under the regulations.

Section 4(f) Resources

Section 4(f) resources in the project area include the three historic sites identified in Table 1 and three public recreation areas on NFS land (Dimond O campground, Middle Fork and Carlon day use areas). The four prehistoric sites identified in Table 1 are not considered Section 4(f) resources because they are not considered valuable for preserving in place due to the extent of prior disturbance to the sites. The Dimond O campground is west of Evergreen Road with access off the road just north of MP 5.6. Although the mapped boundary of the campground overlaps the project area (based on data available from STF), the campground is set back from the road and no recreation resources are along the road or in the project area. Similarly, the Middle Fork and Carlon day use areas at MP 5.1 and 1.0, respectively, are east of Evergreen Road, and the day use facilities are set back from the road and are not in the project area. Because no recreation resources are in the project area, these three recreation areas are not further considered under Section 4(f). Evergreen Lodge and Camp Mather are private facilities and are not Section 4(f) resources.

Based on the assessment of impacts on historic properties, the three historic sites would not be adversely affected; however, the acquisition of a wider easement through the mapped boundaries of the sites would constitute a use of the sites under Section 4(f). This acquisition is minor, and the project would result in a *de minimis* impact under Section 4(f). A separate memorandum, dated July 6, 2017, was prepared and filed for the project to document the Section 4(f) findings.

Threatened, Endangered, and Sensitive Species

Based on a habitat assessment conducted in fall 2016, the project area contains habitat for western pond turtle (*Emys marmorata*), California spotted owl (*Strix occidentalis occidentalis*), great gray owl (*Strix nebulosa*), northern goshawk (*Accipiter gentilis*), western bumble bee (*Bombus occidentalis*), Pacific marten (*Martes caurina*), fisher (*Pekania pennanti*), fringed myotis (*Myotis thysanodes*), pallid bat (*Antrozous pallidus*), Small's southern clarkia (*Clarkia australis*), mountain ladyslipper orchid (*Cypripedium montanum*), Hetch-Hetchy monkeyflower (*Mimulus filicaulis*), and pansy monkeyflower (*Mimulus pulchellus*) (FHWA-CFLHD 2017). All of these species are Forest Service Sensitive species and some are also State-listed or California species of special concern (Table 2). No federally listed species are expected to occur in the project area. The California red-legged frog (*Rana draytonii*) historically occurred in the general area, but it is unlikely to be found in the project area when construction activities in streams and wetlands (non-breeding aquatic habitat for the frog) take place (i.e., before mid-October). Therefore, the project would have no effect on the frog or its habitat. Designated critical habitat does not overlap the project area; therefore, the project would have no effect on critical habitat. Additional information on the species considered for analysis can be found in the biological evaluation for the project (FHWA-CFLHD 2017).

Table 2. Sensitive Species With Potential to Occur in Project Area

Common Name Scientific Name	Status ¹	Habitat in Project Area	Potential Effects
Wildlife Species			
Western pond turtle <i>Emys (Actinemys) marmorata</i>	S, SSC	May nest along major rivers and creeks and use aquatic habitat	No effect on aquatic habitat; negligible effect on terrestrial habitat; not likely to affect nest sites or turtles moving through area
California spotted owl <i>Strix occidentalis occidentalis</i>	S, SSC	Several protected activity centers (PACs) in area; may nest in forested habitats and forage throughout project area	Negligible effect on habitat; not likely to directly remove active nests; potential blasting noise disturbance in some PACs
Great gray owl <i>Strix nebulosa</i>	S, SE	Several PACs in area; may nest in forested habitats and forage in meadows	Negligible effect on habitat; not likely to directly remove active nests; potential noise disturbance in PACs
Northern goshawk <i>Accipiter gentilis</i>	S, SSC	Two PACs in area; may nest in forested habitats and forage throughout area	Negligible effect on habitat; not likely to directly remove active nests; potential noise disturbance in PACs
Western bumble bee <i>Bombus occidentalis</i>	S	May forage on flowering plants in shrub and grassland habitats	No effect on nesting habitat; negligible effect on foraging habitat; not likely to affect individuals
Fisher <i>Pekania pennanti</i>	S, SSC	May use coniferous forests for various activities	Negligible effect on forest habitat; no effect on dens; not likely to affect individuals
Fringed myotis <i>Myotis thysanodes</i>	S	May roost and forage in coniferous forests	Negligible effect on foraging and roosting habitat; no effect on foraging activity; not likely to affect roost sites
Pacific marten <i>Martes caurina</i>	S	May use coniferous forests for various activities	Negligible effect on forest habitat; no effect on dens; not likely to affect individuals
Pallid bat <i>Antrozous pallidus</i>	S, SSC	May roost in coniferous forests and forage in shrub and forest habitats	Negligible effect on foraging and roosting habitat; no effect on foraging activity; not likely to affect roost sites

Common Name Scientific Name	Status ¹	Habitat in Project Area	Potential Effects
Plant Species			
Small's southern clarkia <i>Clarkia australis</i>	S, 1B.2	Openings in ponderosa pine and mixed-conifer stands	Ground disturbance and damage to individuals in five known occurrences
Mountain ladyslipper orchid <i>Cypripedium montanum</i>	S, 4.2	Relatively undisturbed areas with Douglas-fir or white fir	Ground disturbance and potential for damage to individuals if present
Hetch-Hetchy monkeyflower <i>Mimulus filicaulis</i>	S, 1B.2	Moist soils near seeps, springs, meadows, and drainages in mixed-conifer stands	Ground disturbance and damage to individuals in seven known occurrences
Pansey monkeyflower <i>Mimulus pulchellus</i>	S, 1B.2	Vernally wet or moist areas	Ground disturbance and damage to individuals in two known occurrences

¹ Status definitions: S = Forest Service Sensitive; SE = State endangered; SSC = California species of special concern; 1B.2 = Rare or Endangered in California and elsewhere, moderately threatened in California; 4.2 = Limited distribution, watch list, moderately threatened in California

The project would have a negligible effect on terrestrial (upland) habitats and would not affect aquatic habitats with implementation of BMPs to protect water quality. Construction activities could disturb sensitive wildlife in the area, particularly nesting or roosting species, but the road improvements would not result in the direct removal of active nest or roost sites of the sensitive species based on the level of existing disturbance along the road and unlikely potential for the birds and bats to nest or roost along the road. Blasting activities within about 200 feet of PACs for California spotted owl, great gray owl, and northern goshawk could disrupt nesting activities. If disturbed, spotted owls may move their nest to another suitable location in the PACs, and nesting activity would likely continue. FHWA-CFLHD will coordinate with the contractor to schedule blasting between September 1 and February 28 (outside the breeding season) or minimize blasting noise during the breeding season (March 1 through August 31) if schedule restrictions are not practicable (EC-12 in Attachment 1, Table 1-2). Great gray owl and northern goshawk are less likely to be affected by blasting noise because their PACs are further from the roadway and intervening vegetation and topography would mask noise levels. In compliance with Forest Service management guidelines, the project may affect the Forest Service Sensitive wildlife species listed in Table 2, but it is not likely to result in a trend toward federal listing or loss of viability.

Ground disturbance in the vegetation communities that could support the four plants could damage individual plants during their growing seasons, which is generally spring to summer, and result in a localized reduction in their plant populations. Initial earthwork and blasting would likely take place outside the growing season of the monkeyflowers (begins March 1), and only seed and habitat of these annual plants would be affected. Some plants could be disturbed along the road during other activities in the growing season. The project would result in a negligible loss of potential habitat for the four plants due to the widening of the road. With most roadwork

being done along the existing roadway, the project design minimizes impacts to known occurrences of Sensitive plants. The project also includes standard construction practices to minimize vegetation removal, clearly define the construction limits, and prevent the spread or introduction of noxious weeds, and additional measures are not proposed. Although the road widening and other improvements would disturb known occurrences of three plants, the project effects would not be sufficient to affect the long-term viability of any existing populations. In compliance with Forest Service management guidelines, the project may affect the Forest Service Sensitive plant species listed in Table 2, but it is not likely to result in a trend toward federal listing or loss of viability.

Utilities

Several utility lines follow or cross Evergreen Road in the project area. Overhead power lines cross the road near Camp Mather. Water, fiber optic, and fire suppression lines cross under the road at three locations. Telephone lines cross the road at two locations, and several telephone pedestals are located along the roadway. The proposed improvements would not affect most of these utilities, but relocations of some pedestals and lines may be necessary. FHWA-CFLHD will coordinate with the service providers and property owners on any relocations to minimize service disruptions and ensure relocated utilities operate similar to current conditions (SC-6 in Attachment 1, Table 1-1).

Vegetation and Noxious Weeds

The post-fire landscape in and around the project area consists of grasslands, meadows, oak woodlands, ponderosa pine forests, and mixed conifer forests. Much of the project area has been disturbed as a result of the original roadway construction, recent fire and tree removal activities, and other human disturbances along the shoulders and adjacent areas, such as at Camp Mather in the northern portion of the project area. These disturbances create suitable conditions for introduction and spread of invasive plants. Non-native and invasive plants known to occur in the area include yellow star-thistle (*Centaurea solstitialis*), medusahead grass (*Taeniatherum caput-medusae*), bull thistle (*Cirsium vulgare*), spotted knapweed (*Centaurea stoebe* ssp. *micranthos*), and several others (Forest Service 2014b).

Construction activities would disturb soils and vegetation along Evergreen Road and could affect up to 131 acres of land, with most disturbances along the existing roadway and in previously disturbed areas. Less than 40 acres of native vegetation communities would be permanently affected by the road improvements. FHWA-CFLHD will require its contractor to comply with standard construction practices to minimize vegetation removal and ground disturbance, prevent the spread of noxious weeds and invasive plants in the project area, and restore temporarily disturbed areas (SC-4, 11, 12, 20, 22, 23, and 24 in Attachment 1, Table 1-1).

Visual Quality

Much of the project area and surrounding area burned during the Rim Fire in 2013. The visual setting is normally a dense, forested landscape with occasional meadows and streams creating open areas within the forest. Due to the fire, patches of burned forest and open areas where trees have been removed have modified the visual setting. Evergreen Road is a narrow, winding road

through the forest with limited views beyond the adjacent trees and hill sides. Ackerson Creek and the Middle Fork Tuolumne River cross Evergreen Road at concrete bridges with low guard rails that are not considered visually dominant in the landscape. Cabins and other buildings associated with private recreation areas are located near the northern portion of the project area, and recreationists have views of the roadway from several vantage points in the recreation areas along Segment 3. Motorists along the road are the primary viewer group along Segments 1 and 2. Recreationists at day use areas and the campground near Segments 1 and 2 have limited views of the roadway because the recreation areas are set back from the road and intervening trees mask views.

The project consists of relatively minor road improvements along the existing Evergreen Road. From a visual perspective, the roadway would be similar to the existing roadway, but would be modernized to include lane striping, guard rails in some locations, and new signs. Frequent travelers along the road and visitors to the recreation areas would notice the changes, but the views from the roadway and the overall scenic quality of the area would not be altered. The road improvements would include widening the road by several feet along Segments 2 and 3, resulting in the need to remove trees and cut into slopes in some areas. Views in these locations would be similar to existing views of the surrounding forest and hill sides, and the removal of trees along the roadside would not degrade the surrounding forest views. Where cuts into adjacent slopes are necessary, the slope would be stabilized or reinforced using materials that blend into the hill. The visual changes associated with the proposed improvements would not be visually evident and would be consistent with the visual quality objectives STF has applied to the project area (Retention and Modification).

Water Resources and Quality

The project area is in the Upper Tuolumne watershed (HUC 18040009), which is part of the Tuolumne River basin. The Tuolumne River originates in Yosemite National Park and conveys flow more than 100 miles into the San Joaquin River. The Middle Tuolumne River crosses Evergreen Road and converges with the South Fork of the river about 8.5 miles west of the project area. The South Fork Tuolumne River and Ackerson Creek, a tributary to the South Fork, also cross Evergreen Road. The South Fork converges with the main stem of the river about 10.5 miles west of the project area. The streams that flow through the project area are not listed as impaired under Section 303(d) of the Clean Water Act. Water quality of the Tuolumne River near the project area is considered to be very good due to minimal human influences. Beneficial uses of the Tuolumne River and its tributaries, as identified in the Water Quality Control Plan (Basin Plan) for the Sacramento River Basin and the San Joaquin River Basin (Central Valley Water Quality Control Board 2016), are municipal and domestic water supply, irrigation, stock watering, power, contact and non-contact recreation, canoeing and rafting, warm and cold freshwater habitat, and wildlife habitat.

Construction activities would involve soil disturbance and use of hazardous materials (e.g., fuel, solvent, asphalt) that could be discharged via surface runoff into nearby water bodies, affecting downstream water quality. The potential for water quality impacts is highest in winter and spring, when precipitation events are anticipated. Construction activities during dry periods are less likely to affect water quality. The construction contractor will be required to implement best management practices to control spills, minimize erosion and sedimentation, and protect water

quality during all ground-disturbing activities (SC-1, 7, 8, 9, 10, 15, 16, 17, 18, and 21 in Attachment 1, Table 1-1). In compliance with Section 402 of the Clean Water Act, FHWA-CFLHD will obtain coverage under the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Order No. 2009-0009-DWQ, NPDES No. CAS000002) and prepare a Storm Water Pollution Prevention Plan, which the contractor will be required to implement and comply with. As discussed below, the project would also affect waters of the U.S. and require compliance with Sections 401 and 404 of the Clean Water Act. FHWA-CFLHD will apply for a water quality certification through the Central Valley Regional Water Quality Control Board to ensure compliance with water quality objectives of the Basin Plan.

The project includes drainage improvements, such as ditch modifications and culvert replacements, to ensure proper drainage of runoff from adjacent areas to prevent localized flooding along the road and to convey runoff along the road into downslope streams. These improvements would involve temporary disturbances to existing ditches and streams where culverts are replaced, and water quality control measures, as noted above, will be implemented to minimize water quality impacts. Pavement along some existing ditches would be removed, and the ditches would be modified to be more natural and reduce the amount of impervious surface area along the road. Some road widening is necessary to establish consistent lane and road widths, and a net increase in impervious surface area is anticipated, although it would be minor.

Waters of the U.S.

A field delineation of waters of the U.S. was conducted in August and September 2016 and February 2017 and identified a total of approximately 0.382 acre of potential waters of the U.S. along Evergreen Road, consisting of ephemeral and perennial streams and palustrine emergent wetlands. Twelve streams cross under or parallel Evergreen Road, comprising approximately 0.246 acre and 730 linear feet. Seven wetlands also occur along the road, comprising approximately 0.136 total acre. Table 3 summarizes the anticipated impacts on the wetlands and other waters. These impacts are based on preliminary designs and will be refined for permit applications when design is further along. FHWA-CFLHD will avoid or minimize impacts on waters of the U.S. to the extent practicable.

Table 3. Summary of Impacts on Waters of the U.S.

Water Type	Location	Size in Project Area (Linear Feet, Acres)	Impact Estimate (Acres)
Other Waters			
Perennial, South Fork Tuolumne River (S-1)	MP 1.0; STA 62+50	35 lf, 0.028 ac	None
Ephemeral stream (S-2)	MP 1.71; STA 100+62	162 lf, 0.006 ac	0.002 ac temporary, 0.004 ac permanent
Ephemeral stream (S-3)	MP 1.86; STA 108+77	45 lf, 0.003 ac	<0.001 ac temporary

Water Type	Location	Size in Project Area (Linear Feet, Acres)	Impact Estimate (Acres)
Ephemeral stream (S-4a & 4b)	MP 2.21; STA 127+02	41 lf, 0.002 ac	0.001 ac temporary, <0.001 ac permanent
Perennial stream, Ackerson Creek (S-5)	MP 2.81; STA 159+00	145 lf, 0.089 ac	None
Ephemeral stream, Stone Creek (S-6a & 6b)	MP 4.31; STA 237+79	13 lf, 0.002 ac	0.002 ac permanent
Ephemeral stream (S-7)	MP 4.55; STA 250+19	3.5 lf, <0.001 ac	<0.001 ac temporary
Ephemeral stream (S-8a & 8b)	MP 4.61; STA 253+26	10 lf, <0.001 ac	<0.001 ac permanent
Ephemeral stream (S-9)	MP 4.63; STA 254+47	3.5 lf, <0.001 ac	<0.001 ac permanent
Ephemeral stream (S-10)	MP 4.67; STA 256+56	6 lf, <0.001 ac	<0.001 ac permanent
Perennial stream, Middle Tuolumne River (S-11)	MP 5.01; STA 274+50	146 lf, 0.105 ac	None
Ephemeral stream (S-12a & 12b)	MP 5.9; STA 320+80	120 lf, 0.010 ac	0.004 ac temporary, 0.002 ac permanent
Wetlands			
Palustrine emergent wetland (A1 & A2)	MP 7.11; STA 385+84	0.014 ac	0.004 ac permanent
Palustrine emergent wetland (B)	MP 4.35; STA 239+05	0.005 ac	0.005 ac permanent
Palustrine emergent wetland (C)	MP 4.93; STA 269+98	0.001 ac	0.001 ac permanent
Palustrine emergent wetland (D)	MP 4.96; STA 271+76	0.001 ac	0.001 ac permanent
Palustrine emergent wetland (E)	MP 3.16; STA 177+24	0.088 ac	0.001 ac temporary
Palustrine emergent wetland (F1 & F2)	MP 3.4; STA 189+50	0.022 ac	0.005 ac permanent
Palustrine emergent wetland (G)	MP 2.34; STA 134+56	0.007 ac	None

Road widening and drainage improvements (e.g., culvert replacement, ditch construction or re-construction) would result in the discharge of fill material into some of the streams and wetlands. Based on current designs, the project would result in permanent discharge into approximately 0.024 total acre of waters of the U.S., including 0.016 acre of wetlands and 0.008 acre of other waters. Functions of these affected waters would be similar to current conditions. Also, an estimated 0.01 acre of temporary ground disturbance in streams and a wetland is anticipated during construction; these temporarily affected areas would be restored to pre-project conditions in accordance with standard construction practices (SC-4, SC-8, SC-20, SC-22, and SC-23). Due to these anticipated impacts, project activities must comply with Sections 401 and 404 of the Clean Water Act (EC-13). Based on the nature of activities and minimal impacts, the project qualifies for coverage under Nationwide Permits (e.g., Nos. 3 for Maintenance and 14 for Linear Transportation Projects). With the permanent impacts being negligible (less than 0.1 acre), compensatory mitigation is not anticipated, although FHWA-CFLHD will coordinate with the permitting agencies to ensure compliance with the Clean Water Act.

Cumulative Impacts

The effects of the project in conjunction with other past and present activities are discussed above. No reasonably foreseeable future actions have been identified along Evergreen Road at the same time as the construction schedule for the project. The Forest Service is implementing the Rim Fire Recovery project between 2015 and about 2020. Most, if not all, of the fire recovery activities are expected to be complete by 2020, and none of the remaining activities are expected to take place along Evergreen Road at the same time as the project. The project would not have cumulatively considerable impacts and would not contribute to cumulative impacts along Evergreen Road.

Permits

FHWA-CFLHD will obtain the following environmental and use permits and approvals prior to construction activities, and the construction contractor will be responsible for complying with the terms and conditions of the permits and approvals. The contractor may also be required to obtain additional permits for certain construction activities. Tuolumne County will be required to comply with the California Environmental Quality Act.

- Clean Water Act Section 401 Water Quality Certification (Regional Water Board)
- Clean Water Act Section 402 National Pollutant Discharge Elimination System permit (Regional Water Board)
- Clean Water Act Section 404 Nationwide Permit(s) (Army Corps of Engineers)
- National Historic Preservation Act Section 106 Consultation (State Historic Preservation Officer)
- Section 4f of Department of Transportation Act *de minimis* finding (FHWA)
- Special Use Permit under Federal Land Policy and Management Act, if applicable (Forest Service-STF)
- Encroachment Permit under California Streets and Highways Code (Caltrans)
- Encroachment Permit under Tuolumne County Code (County)

Determination

Based on the above information, I have administratively determined that this project falls within the definition of Categorical Exclusion as defined at 40 CFR 1508.4. The proposed work falls within a category of actions that do not individually or cumulatively exceed the threshold of significant adverse effects on the human environment, as provided for in the Council on Environmental Quality Regulations (40 CFR 1500-1508) and the Federal Highway Administration's Regulations (23 CFR 771.117). The project is categorically excluded from further NEPA analysis and further NEPA approvals.

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Attachment 1

Environmental Commitments

Table 1-1. Standard Environmental Commitments Summary Table

No.	Standard Environmental Commitments From Standard Specifications (FP-14) or Special Contract Requirements (SCR)	Resource(s)	FP or SCR No.
SC-1	Before developing a material source, measure the sediment content of bodies of water adjacent to the work area that will receive drainage from the work area. Perform erosion and sediment control according to the source development plan and the Storm Water Pollution Prevention Plan (SWPPP) or Erosion Control Plan.	Water Quality	FP 105.03
SC-2	Use only approved portions of the right-of-way for storing material or equipment. Provide additional space as needed. Do not use private property for storage without written permission of the owner or lessee. Submit copies of agreements and documents. Provide security for stored material. Restore Government-provided storage sites to their original condition.	Land Use	FP 105.04
SC-3	Comply with applicable laws, ordinances, safety codes, regulations, orders, and decrees and with permits and agreements obtained by the Government for performing the work that is included in the contract. Obtain additional permits or agreements and modifications to Government-obtained permits or agreements that are required by the Contractor's methods of operation.	All Resources	FP 107.01
SC-4	Do not disturb the area beyond the construction limits. Replace trees, shrubs, or vegetated areas damaged by construction operations as directed.	Vegetation	FP 107.02
SC-5	Do not excavate, remove, damage, alter, or deface any archeological or paleontological remains or specimens. Control the actions of employees and subcontractors on the project to ensure that protected sites are not disturbed or damaged. Should these items be encountered, suspend operations at the discovery site, notify the CO and continue operations in other areas. The CO will inform the Contractor when operations may resume at the discovery site.	Cultural and Paleontological Resources	FP 107.02
SC-6	Before beginning work in an area, contact the local utility locating service to mark the utilities. Protect utilities from construction operations. Cooperate with utility owners to expedite the relocation or adjustment of their utilities to minimize interruption of service and duplication of work.	Utilities	FP 107.02
SC-7	Do not operate equipment or discharge material within the boundaries of wetlands and the waters of the United States as defined by the federal and state regulatory agencies. Permits are issued by the U.S. Army Corps of Engineers according to 33 USC § 1344 and delegated by the agency having jurisdiction. If an unauthorized discharge occurs: (a) Prevent further contamination;	Water Quality, Wetlands and Waters of the U.S.	FP 107.10(a)

No.	Standard Environmental Commitments From Standard Specifications (FP-14) or Special Contract Requirements (SCR)	Resource(s)	FP or SCR No.
	<p>(b) Notify appropriate authorities and the CO; and</p> <p>(c) Mitigate damages.</p> <p>Construct and maintain barriers in work areas and in material sources to prevent sediment, petroleum products, chemicals, and other liquids and solids from entering wetlands or waters of the United States. Remove and properly dispose of barrier collected material.</p> <p>Do not revise terms or conditions of permits without the approval of the issuing agency.</p>		
SC-8	<p>Do not ford running streams with construction equipment. Obtain approval from the CO to use temporary bridges or other structures whenever crossings are necessary.</p> <p>Immediately clear ephemeral drainages, intermittent and perennial streams, lakes and reservoirs of all work items, debris or other obstructions placed by or resulting from construction operations.</p> <p>Locate machinery servicing and refueling areas away from streambeds and washes to reduce the possibility and minimize the impacts of accidental spills or discharges.</p>	Water Quality, Wetlands and Waters of the U.S.	SCR 107.10(a)
SC-9	<p>Submit a Spill Prevention, Control, and Countermeasure (SPCC) Plan if required at least 2 days before beginning work.</p> <p>If a SPCC plan is not required, submit a hazardous spill plan at least 2 days before beginning work. Describe preventative measures including the location of refueling and storage facilities and the handling of hazardous material. Describe actions to be taken in case of a spill.</p> <p>Do not use equipment with leaking fluids. Repair equipment fluid leaks immediately. Keep absorbent material manufactured for containment and cleanup of hazardous material on the job site.</p> <p>Notify the CO of hazardous spills.</p>	Hazardous Materials	FP 107.10(b)
SC-10	<p>Sand or soils are not approved absorbent materials.</p> <p>Report the spill to the appropriate federal, state, and local authorities as required by the SPCC plan or hazardous spill plan.</p>	Hazardous Materials	SCR 107.10(b)
SC-11	<p>Remove dirt, plant, and foreign material from vehicles and equipment before mobilizing to work site. Prevent introduction of noxious weeds and non-native plant species into the work site. Follow applicable Federal land management agency requirements and state requirements.</p>	Noxious Weeds	FP 107.10(c)

No.	Standard Environmental Commitments From Standard Specifications (FP-14) or Special Contract Requirements (SCR)	Resource(s)	FP or SCR No.
	Maintain cleaning and inspection records.		
SC-12	Do not import into the project limits rock, sand, gravel, earth, subsoil, or other natural materials from a Contractor-selected non-commercial materials source that have not been certified free of noxious weeds. Materials imported into the project limits which do not include a noxious weed free certification may be rejected and ordered by the CO to be removed from the project limits. The CO has the discretion of requesting inspection of certified materials by a third party and rejecting the use of the source if noxious weeds or seeds thereof are found to be present.	Noxious Weeds	SCR 107.10(d)
SC-13	Maintain roadways as follows: <ul style="list-style-type: none"> • Construct and remove diversion roads and bridges as required by the traffic control plan. • Maintain intersections with trails, roads, streets, businesses, parking lots, residences, garages, farms, and other features. • Snow removal to facilitate the work is the Contractor's responsibility; snow removal to provide public access is the responsibility of the maintaining agency and will be performed at the maintaining agency's discretion; allow the maintaining agency access to perform snow removal. • Maintain a dust-free traveled way such that visibility and air quality are not affected and a hazardous condition is not created. • Remove accumulations of soil and other material from traveled way. • Do not allow water to pond on the traveled way. • Maintain the roadway, detours, and diversions in a safe and acceptable condition. 	Traffic, Air Quality	FP 156.05
SC-14	Perform construction operations during the hours of daylight (one-half hour after sunrise to one-half hour before sunset). Where night operations are permitted, submit a night lighting system for approval.	Traffic, Visual Quality	FP 156.08
SC-15	Provide soil erosion and sediment control measures according to the contract erosion and sediment control plan, contract permits, Section 107, and this Section. Contract permits amend the requirements of this Section. Do not modify the type, size, or location of controls or practices without approval. The erosion and sediment control plan reflects special concerns and measures to protect resources. An alternate erosion and sediment control or stormwater pollution prevention plan, with necessary permits, may be submitted for approval according to Subsection 104.03.	Water Quality, Soils	FP 157.04

No.	Standard Environmental Commitments From Standard Specifications (FP-14) or Special Contract Requirements (SCR)	Resource(s)	FP or SCR No.
	<p>Submit alternate erosion and sediment control proposals at least 30 days before their intended use.</p> <p>When soil erosion and sediment control measures are not functioning as intended, take corrective action to eliminate or minimize pollutants in stormwater discharges from the project.</p> <p>If wood chips are used, do not import without approval from the CO.</p>		
SC-16	<p>Before grubbing or grading construct sediment controls around the perimeter of the project including filter barriers, diversion, and settling structures.</p> <p>Limit the combined grubbing and grading operations areas to 8 acres (3.2 hectares) of exposed soil at one time.</p> <p>Construct and implement soil erosion and sediment control measures as follows:</p> <ul style="list-style-type: none"> (a) Construct temporary controls in incremental stages as construction proceeds; (b) Construct temporary slope drains, diversion channels, and earth berms to protect disturbed areas and slopes; (c) When a soil disturbing activity within a portion of the project is complete, apply permanent measures to the finished slopes and ditches within 14 days; (d) When a soil disturbing activity within a portion of the project has temporarily ceased, apply temporary measures within 14 days; (e) Construct outlet protection as soon as culverts or other structures are complete; (f) Construct and maintain soil erosion and sediment controls on and around soil stockpiles; (g) Following each day's grading operations, shape earthwork to minimize and control erosion from stormwater runoff; and (h) Maintain stabilized construction exits to minimize tracking of soil onto existing roads. 	Air Quality, Water Quality, Soils	FP 157.05
SC-17	Construct silt fence, berms, and fiber rolls and socks to reduce the velocity of runoff to allow sediment to settle.	Water Quality	FP 157.06
SC-18	<p>Construct sediment retention structures of the following types:</p> <ul style="list-style-type: none"> (a) Temporary sediment traps. Construct temporary sediment traps to detain runoff from 	Water Quality	FP 157.07

No.	Standard Environmental Commitments From Standard Specifications (FP-14) or Special Contract Requirements (SCR)	Resource(s)	FP or SCR No.
	<p>disturbed areas and settle out sediment. Provide outlet protection.</p> <p>(b) Sediment basins. Construct sediment basins to store runoff and settle out sediment for large drainage areas. Excavate and construct sediment basins according to Section 204. Construct riser pipes according to Section 602. Provide outlet protection.</p>		
SC-19	<p>Provide an adequate water supply and apply water uniformly across the traveled way as necessary to control dust. Uniformly apply water using pressure-type distributors, pipelines equipped with spray systems, or hoses with nozzles.</p> <p>Control dust within the construction limits as necessary including nights, weekends, and periods of non-work when the project is open to public traffic. When the project is not open to public traffic, control dust in areas of the project that have adjacent residences or businesses. Control dust on approved, active detours established for the project. Apply water at the locations, rates, and frequencies as ordered.</p> <p>Control dust on active haul roads, in pits and staging areas, and on the project during periods not covered above.</p>	Air Quality	FP 158.03
SC-20	<p>Do not damage vegetation designated to remain. If damage occurs, repair or replace the vegetation in an acceptable manner. Where possible, preserve vegetation adjacent to bodies of water. Treat cuts or scarred surfaces of trees and shrubs with tree wound dressing.</p>	Vegetation	FP 201.03
SC-21	<p>Construct structurally adequate debris shields to contain debris within the construction limits. Do not permit debris to enter waterways, travel lanes open to public traffic, or areas designated not to be disturbed.</p> <p>Handle material with lead paint contamination according to Subsection 563.05 (of FP-14).</p>	Water Quality, Hazardous Materials	FP 203.04(b)
SC-22	<p>Apply turf establishment to finished slopes and ditches within 14 days after completion of construction on a portion of the site.</p>	Vegetation	FP 625.03
SC-23	<p>Protect and care for seeded areas including watering when needed. Repair or apply supplemental applications of seed, mulch, fertilizer, and water as many times as needed until turf is established or final acceptance.</p>	Vegetation	FP 625.09
SC-24	<p>Conform to the Federal Seed Act, the Federal Noxious Weed Act, and applicable State and local seed and noxious weed laws.</p>	Vegetation and Noxious Weeds	FP 713.04

Table 1-2. Project-Specific Environmental Commitments

No.	Commitment	Resource(s)	Responsible Party	SCR No.
EC-1	As a project condition, the extent of bridge work at the South Fork Tuolumne River, Middle Fork Tuolumne River, and Ackerson Creek will be limited to the bridge approaches and bridge deck with no work being conducted within the water channels or on the stream banks. The existing asphalt on the bridge decking will be milled to a depth of approximately 1 to 2 inches and repaved with new asphalt, and safety improvements, such as guardrail improvements or replacement, will be done. No other work at these bridge crossings is authorized.	Water Quality, Waters of the U.S.	Contractor	Include under 107.10(a)
EC-2	<p>FHWA-CFLHD has identified six potential staging areas along the road or in previously disturbed areas just off the road that the contractor may use for staging, pending receipt of landowner approvals. Two potential staging areas are in previously burned areas off the east/south side of the road, a 1-acre area near MP 1.8 and a 2.4-acre area near MP 6.4. Two potential staging areas are in previously disturbed areas along the road at MP 3.6 (0.1-acre) and MP 5.0 (0.16-acre). Off the west side of the road near MP 5.9, a previously disturbed clearing, about 1 acre in size, associated with a water storage tank could be used for staging. At the northern end of Evergreen Road, where it intersects Mather Road, parking lots could be used for staging if they are not in use by recreationists at Camp Mather and with approval from the City and County of San Francisco. Staging areas on NFS land that are not immediately adjacent to the road will require a special use permit from the STF, and staging areas on private land will require authorization from the landowner.</p> <p>As a project condition, the contractor will identify which areas will ultimately be used for staging and will establish the limits for staging areas based on the six areas identified herein. If other staging areas are identified, the contractor must obtain written authorization from FHWA-CFLHD prior to using the staging area, and if additional environmental approvals are required, the contractor will be responsible for obtaining them. The contractor will be responsible for obtaining the necessary landowner approvals.</p>	Land Use	Contractor, FHWA-CFLHD	Include under 107.10(d) or 156.07
EC-3	As a project condition, all culvert improvements in waters of the U.S., including streams and wetlands, will be scheduled during the dry	Water Quality, Waters of the	Contractor	Include under 107.10(a) or

No.	Commitment	Resource(s)	Responsible Party	SCR No.
	season, which is typically between mid-April and mid-October, or when no flowing or standing water is present. If culvert work is required when water is present in the streams or wetlands, the contractor must submit a dewatering/diversion plan to FHWA-CFLHD for approval. The plan should detail the diversion system to be installed and describe the measures to take to ensure normal flow is maintained during and after the work, including water quality protection measures.	U.S., Wildlife		602.03
EC-4	<p>The construction contractor will implement the following emission-reduction measures during construction:</p> <ul style="list-style-type: none"> Exposed soils will be watered as needed to control wind borne dust. Exposed piles of dirt, sand, gravel, or other construction debris will be enclosed, covered, and/or watered as needed to control wind borne dust. Vehicle trackout will be minimized through the use of rubble strips and wheel washers for all trucks and equipment leaving the site. Sweep streets will be once a day if visible soil materials are carried to adjacent streets (recommend water sweepers with reclaimed water). On-site vehicle speed will be limited to 15 miles per hour on unpaved surfaces. Loads on all haul/dump trucks will be covered securely or at least 2 feet of freeboard will be maintained on trucks hauling loads. Construction equipment will be maintained and tuned at the interval recommended by the manufacturers to minimize exhaust emissions. Equipment idling will be kept to a minimum when equipment is not in use. Construction equipment will be in compliance with the California Air Resources Board off-road and portable equipment diesel particulate matter regulations. 	Air Quality	Contractor	Include under SCR 105.01 or 204.04

No.	Commitment	Resource(s)	Responsible Party	SCR No.
EC-5	FHWA-CFLHD will require its contractor to install exclusionary fencing along the construction limits to protect environmentally sensitive areas between MP 2.7 and 2.8 (Stations 153 and 158), between 2.9 and 3.15 (Stations 164 and 176), and just north of MP 3.3 (Station 185). The fencing will follow the construction limits on each side of the road and be generally parallel to the road between MP 2.7 and 3.15 and will be between a bedrock outcrop on the west side of the road and the construction limits near MP 3.3. The specific locations of fencing will be clearly depicted on the design plans and will be reviewed with the contractor.	Cultural Resources	Contractor, FHWA-CFLHD	Include under SCR 107.02
EC-6	To protect an environmentally sensitive area on private property, an archaeological monitor will be present if ground disturbance between MP 4.7 and 4.8 (Stations 257 and 262) extends beyond the roadway and previously disturbed areas. The monitor must be qualified to identify archaeological resources and provide direction to the contractor in the event of a discovery. If resources are discovered, EC-8 will be complied with.	Cultural Resources	Contractor, FHWA-CFLHD	Include under SCR 107.02
EC-7	FHWA-CFLHD will prepare a sign removal and rehabilitation plan that describes the specific methods and designs for removing and rebuilding the Camp Mather/Hetch Hetchy Gateway sign to retain its rustic style and comply with the Secretary of Interior's Standards for Rehabilitation (36 CFR 67) (e.g., NPS Bulletins for stone masonry and historic structure rehabilitation). The existing sign and posts will be retained and preserved for incorporation into the rebuilt sign. If the foundation(s) sustain damage during removal, a new foundation will be constructed to match the visual appearance of the existing foundation. All rebuilt elements must retain the rustic style and feel of the existing sign, and the sign will be retained in its same location, with one foundation being shifted slightly to accommodate the wider road. A historian that meets the Secretary of the Interior professional qualification standards will review the plan for compliance with applicable standards for rehabilitation.	Cultural Resources	FHWA-CFLHD, Contractor	Include under SCR 107.02
EC-8	If a potential cultural resource or human remain is discovered during construction, the contractor will temporarily stop work near the discovery and immediately notify FHWA-CFLHD. FHWA-CFLHD will retain a	Cultural Resources	FHWA-CFLHD, Contractor, Other	Include under SCR 107.02

No.	Commitment	Resource(s)	Responsible Party	SCR No.
	<p>qualified archaeologist to assess the find and identify the need for further action. If the archaeologist determines that the discovery is not an important cultural resource, FHWA-CFLHD will notify the contractor that construction may proceed. For important cultural resources, the archaeologist will record the location and available information of the resource, evaluate the eligibility of the resource, and develop appropriate protection or treatment measures in coordination with FHWA-CFLHD and other agencies and interested parties. All resource recordation will follow accepted professional standards and be on standard Department of Parks and Recreation Primary Record forms (Form DPR 523). FHWA-CFLHD will notify the contractor when construction near the discovery may proceed.</p> <p>If human remains are discovered during construction, FHWA-CFLHD must follow applicable regulations for the evaluation and treatment of the remains. If the remains are on private or other non-federal land, FHWA-CFLHD will notify the Tuolumne County Coroner/Sheriff and allow them to investigate the remains in accordance with Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission, who will identify the most likely descendant and allow them to recommend treatment measures for the remains as provided in Public Resources Code Section 5097.98. FHWA-CFLHD will coordinate with the descendant to implement appropriate measures, such as re-burying remains near the road. If human remains, grave goods, or items of cultural patrimony (as defined in the Native American Graves Protection and Repatriation Act) are discovered on federal lands, FHWA-CFLHD will coordinate with the federal land manager (Forest Service or National Park Service) to comply with federal law.</p>		Agencies	
EC-9	FHWA-CFLHD and its contractor will comply with the STF fire plan, which outlines the responsibility for fire prevention and suppression activities and establishes a suppression plan for fires during the construction period.	Fire Hazard	FHWA-CFLHD, Contractor	Include under SCR 107.11
EC-10	To prevent the removal of active nests when trees are removed along Evergreen Road, FHWA-CFLHD will coordinate with the contractor to either: 1) schedule the tree removal before nests are formed (before	Wildlife	FHWA-CFLHD, Contractor	Include under 107.02 or

No.	Commitment	Resource(s)	Responsible Party	SCR No.
	March 1) or after young have left the nests (after July 31); or 2) retain a qualified biologist to survey the trees for nests if tree removal is scheduled between March 1 and July 31. If an active nest is detected in a tree planned for removal, tree removal will be delayed until the nest is no longer active. Periodic monitoring (biweekly or monthly, depending on the status of the nest) by the biologist will determine the status of the nest and confirm when the nest is no longer active.			201.04
EC-11	Once the construction schedule is established, the construction contractor will notify property owners adjacent to the project area and emergency service providers that may need to use Evergreen Road during the construction period. During construction, the contractor will ensure access to all recreation areas and private properties is maintained. If full road closures are necessary, the contractor will ensure passage is allowed in specified windows of time throughout the closure period.	Land Use	Contractor	Include under SCR 107.03 and 156.05
EC-12	FHWA-CFLHD will coordinate with the contractor to minimize the need for blasting during construction activities and minimize the duration of blasting in any one location. Blasting activities will be scheduled outside of the bird breeding season, either before March 1 of the construction year or after August 31 of the previous year. The contractor will identify the specific locations of blasting on construction drawings and notify FHWA-CFLHD of the blasting schedule prior to any blasting activities. If all blasting activities cannot be completed prior to March 1 of the construction year, the contractor will coordinate with FHWA-CFLHD on further measures that may be required, such as nesting bird surveys around the blasting location and protection of active nests, equipment operation restrictions (e.g., length of time, use of mufflers or sound-control devices), or restrictions on the blasting locations if near sensitive areas.	Sensitive Birds	FHWA-CFLHD, Contractor	Include under 205.05
EC-13	FHWA-CFLHD and its contractor will comply with general conditions of Nationwide Permit Nos. 3 and 14, as applicable, and regional conditions for Nationwide Permits in California and any additional requirements identified in the permit authorization from the Corps of Engineers and water quality certification from the Regional Water Board. FHWA-CFLHD will submit a pre-construction notification (PCN) to the Corps of	Waters of the U.S., Water Quality	FHWA-CFLHD, Contractor	Include under 107.01

No.	Commitment	Resource(s)	Responsible Party	SCR No.
	<p>Engineers (note that if impacts to wetlands are avoided, a PCN may not be necessary) and an application to the Central Valley Regional Water Board for water quality certification. Applicable conditions are:</p> <ul style="list-style-type: none"> • maintain aquatic life movements along streams through proper design of culverts, • maintain pre-construction conditions of all road crossings of waters of the U.S. through proper design, • use suitable materials (free from toxic pollutants) during construction in and near waters of the U.S., • minimize soil disturbance in wetlands by placing heavy equipment on mats or using other appropriate measures, • use appropriate soil erosion and sediment controls throughout construction to prevent degradation of waters of the U.S., • remove temporary fills from waters of the U.S. and restore the area to pre-disturbance contours and vegetation, • avoid discharge of fill into flowing water, • clearly mark the construction limits where work in waters of the U.S. is required, and • notify all contractor personnel of the requirements of the Section 404 and 401 permits and keep copies of the authorizations at the work site. 			

Attachment 2

Project-Related Correspondence



U.S. Department
of Transportation
**Federal Highway
Administration**

Central Federal Lands Highway Division

January 26, 2017

12300 West Dakota Avenue
Suite 380
Lakewood, CO 80228-2583
Office: 720-963-3394
Wendy.Longley@dot.gov

In Reply Refer To:
HFPM-16

Julianne Polanco, State Historic Preservation Officer
California Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

**Subject: Initiation of Section 106 Consultation for the Evergreen Road Rehabilitation Project
(CA FLAP CR393400(1))**

Dear Ms. Polanco:

The Federal Highway Administration, Central Federal Lands Highway Division (FHWA-CFLHD), in cooperation with Tuolumne County, the USDA Forest Service–Stanislaus National Forest (STF), and the National Park Service–Yosemite National Park, is proposing to implement improvements to approximately 7.4 miles of Evergreen Road, a County-maintained road, between State Route 120 (SR 120) and Mather Road. The Evergreen Road Rehabilitation Project (project) is located in southern Tuolumne County approximately 23 miles to the east of Groveland, California. Evergreen Road provides access to recreation areas in Yosemite National Park (e.g., Hetch Hetchy), Evergreen Lodge, Stanislaus National Forest, and Camp Mather, as well as some private lands. In compliance with Section 106 of the National Historic Preservation Act (NHPA), as amended (36 CFR Part 800), FHWA-CFLHD is taking into account the effects of our undertaking on historic properties and is affording the State Historic Preservation Officer an opportunity to comment on the undertaking and its effects on historic properties.

For purposes of the design, the road improvements have been separated into three segments, which are identified as Segments 1, 2, and 3. Segment 1 extends from the intersection of SR 120 (Mile Post [MP] 0) north to approximately MP 1.4. Improvements along this segment would be within the existing roadway limits (a 32-foot-wide corridor) and would include pulverizing existing road pavement and paved ditches, removing and replacing existing asphalt curb, paving existing ditches, paving and striping the roadway to establish consistent lane and shoulder widths, potentially lining existing culverts, and installing guardrail and signs where needed for safety considerations. Segment 2 extends north from approximately MP 1.4 to approximately MP 6.7 (Figure 2a-e). Improvements along this segment would be within a 40- to 100-foot-wide corridor and would consist of pulverizing the existing road pavement, widening the roadway to establish consistent lane and shoulder widths, striping the roadway, installing guardrail and signs where needed for safety considerations, potentially replacing the Stone Creek culvert, and building ditches along the roadway and replacing existing culverts as needed to improve drainage. Segment 3 extends from approximately MP 6.7 north to approximately MP 7.4 to the terminus of Evergreen Road at Mather Road (Figure 2e). Improvements along this segment would be within a 50-foot-wide corridor and would consist of pulverizing the existing road pavement, rebuilding the roadway to establish consistent lane and shoulder widths, adding asphalt curb and paved ditches along the roadway as needed to allow for better drainage, striping the roadway, installing guardrails and signs where needed for safety considerations, and replacing existing culverts as needed to improve drainage beneath the roadway. Existing fencing and utilities along the road would be relocated as needed to accommodate the proposed improvements. Depth of ground disturbance is being determined as part of the design process; some cuts may be needed in slopes adjacent to the roadway and new ditch installation could require excavation up to 1 foot deep. Construction activities are planned for 2020 and would be completed within one year.

The Area of Potential Effect (APE) encompasses approximately 131 acres and includes all areas of potential disturbance associated with the project. It consists of a 140- to 150-foot-wide corridor along Evergreen Road, extending 60 feet outside the existing road edge on either side, and six potential staging areas along the road or in previously disturbed areas near the road. Most project activities would be limited to the existing roadway and adjacent shoulders or previously disturbed areas. Figures depicting the extent of the APE are included in the enclosed cultural resources report.

On behalf of FHWA-CFLHD, HDR conducted a cultural resources investigation, which included background research, a cultural resources survey, eligibility evaluations of resources, and a preliminary effects analysis. Twenty (20) cultural resources were previously recorded in the APE, and HDR recorded eight (8) new resources. Most of the previously recorded resources are on National Forest System lands and were recorded during surveys for STF. Based on the investigation, seven (7) resources were determined to be eligible or potentially eligible for listing to the National Register of Historic Places. The other resources did not meet the evaluation criteria for listing and are not evaluated further under NHPA; descriptions of these resources are in the enclosed report. For purposes of this project, FHWA-CFLHD has determined that the following sites are considered historic properties:

- P-55-001239 (CA-TUO-0211, FS 05-16-54-0078)—Prehistoric site with bedrock milling features and lithic scatter, in Segment 2 near MP 3.0
- P-55-001250 (CA-TUO-0222, FS 05-16-54-0082)—Prehistoric site with bedrock milling features and lithic scatter, in Segment 2 near MP 4.8
- P-55-003645 (CA-TUO-2659H)—Historic Stone Meadow Ranch with cabin, barn, and associated historic resources, in Segment 2 near MP 4.3
- P-55-004371 (CA-TUO-3404, FS 05-16-54-0698)—Prehistoric site with lithic scatter, in Segment 2 near MP 2.8
- Evergreen HDR-2—Camp Mather/Hetch Hetchy Gateway Sign, in Segment 3 near MP 7.2
- Evergreen HDR-3—Prehistoric site with bedrock milling feature, in Segment 2 near MP 3.3
- Camp Mather/Hog Ranch Historic District—Various prehistoric and historic features, including Evergreen HDR-2, in Segment 3 between MP 6.7 and 7.4

Evergreen Road passes through sites P-55-001239, P-55-001250, P-55-003645, P-55-004371, Evergreen HDR-2, and Camp Mather/Hog Ranch Historic District and is within a few feet of Evergreen HDR-3. Prior road construction and other activities have disturbed portions of these sites. The proposed road improvements are not likely to disturb intact portions of the four prehistoric sites, but ground disturbance outside the roadway or previously disturbed areas could expose buried resources or disturb some features of the sites. Although Evergreen Road passes through the historic Stone Meadow Ranch (P-55-003645), the proposed road improvements would not affect historic features of this site. Similarly, the road improvements would take place in the boundaries of the Camp Mather/Hog Ranch Historic District; however, other than the Camp Mather/Hetch Hetchy Gateway Sign (Evergreen HDR-2), they would not affect contributing elements of the District, which are found outside the APE. The road alignment through the District would not change, and the project would not affect the overall eligibility of the District. Based on our analysis of the project effects, the project would not affect the eligibility of the historic properties in the APE.

The gateway sign at Camp Mather restricts the road width and would need to be modified to accommodate the road improvements and establish a consistent road width through Camp Mather. Based

on background research, the sign and posts are no longer the original from the 1920s or earlier. The main features of this sign are its rustic style and strong sense of historicity. As part of the project, the sign and posts would be dismantled and one of the foundations would be removed to accommodate the road improvements. The sign and vertical posts would be saved and used to rebuild the sign in the same location to preserve the rustic style and sense of historicity (the reasons the sign is eligible), although a new foundation and horizontal post may be needed to accommodate the wider road.

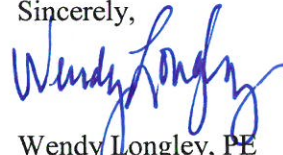
FHWA-CFLHD sent letters to Chicken Ranch Rancheria of Me-Wuk, Tuolumne Band of Me-Wuk, and Southern Sierra Miwuk Nation on October 20, 2016, to obtain information on cultural resources they may be concerned with in the project area. The Tuolumne Band of Me-Wuk responded via letter on October 25, 2016, expressing interest in consulting on the cultural resources report and any proposed protection measures. FHWA-CFLHD sent the Tuolumne Band a copy of the cultural report on December 19, 2016, and they responded on January 10, 2017, that they had no major concerns about the project and wished to be contacted if any inadvertent discoveries are made. FHWA-CFLHD has also coordinated with STF on the undertaking, and STF is in agreement with our findings.

Based on available information, FHWA-CFLHD has made a determination of “**No Adverse Effect on Historic Properties**” for the Evergreen Road Rehabilitation Project. To protect intact portions of three prehistoric sites, FHWA will require its contractor to install exclusionary fencing along the construction limits near the sites (P-55-001239, P-55-004371, and Evergreen HDR-3) and will depict the fencing locations on the design plans. The fencing will follow the construction limits and be generally parallel to the road in sites P-55-001239 and P-55-004371 and will be between Evergreen HDR-3 and the construction limits (refer to enclosed figure depicting the proposed fencing). Due to the limited knowledge of the extent of the other prehistoric site (P-55-001250), FHWA will ensure an archaeological monitor is present if ground disturbance in the mapped boundaries of the site extends beyond the roadway and previously disturbed areas. For the gateway sign, FHWA will prepare a sign removal and rehabilitation plan that describes the specific methods and designs for removing and rebuilding the sign to retain its rustic style and comply with the Secretary of Interior’s Standards for Rehabilitation (36 CFR 67). The existing sign and posts will be retained and preserved for incorporation into the rebuilt sign. Only one foundation will be removed, and if it sustains damage during removal, a new foundation will be constructed to match the visual appearance of the existing foundation. All rebuilt elements must retain the rustic style and feel of the existing sign, and the sign will be retained in its same location, with one foundation being shifted slightly to accommodate the wider road.

FHWA-CFLHD must also comply with Section 4(f) of the Department of Transportation Act of 1966 and evaluate the use of historic properties for transportation projects. Based on project information and the anticipated need for wider easements on two private properties, we anticipate making *de minimis* findings for expanding the easement at the location of the gateway sign and within the historic Stone Meadow Ranch boundary. The four prehistoric sites are not considered Section 4(f) resources because they do not warrant preservation in place based on the existing level of disturbance to the sites. Pursuant to Section 4(f), we request your written concurrence of our effects determination to proceed with the *de minimis* findings. Also, based on available information, we expect to complete a Categorical Exclusion (CE) for the project under the National Environmental Policy Act once this consultation process is complete and supporting documentation for the CE has been compiled.

Please respond with any comments or concerns you have regarding the undertaking or with your written concurrence within 30 days of receipt of this letter to: Wendy Longley, Federal Highway Administration, 12300 W. Dakota Ave., Suite 380, Lakewood, CO 80228 or by email to Wendy.Longley@dot.gov. If you have any questions about the undertaking or would like to discuss the results of the cultural investigation, I can be reached at 720-963-3394.

Sincerely,



Wendy Longley, PE
Project Manager

Enclosures: Proposed Fence Locations, Draft Design Plans, Correspondence with Tribes, Cultural Resource Report

Cc: Kathy Strain, Stanislaus National Forest (via email without cultural report)

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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May 26, 2017

VIA ELECTRONIC MAIL

Reply in Reference To: FHWA_2017_0130_001

Wendy Longley, PE
Federal Highway Administration, Central Federal Lands Highway Division
12300 West Dakota Avenue
Suite 380
Lakewood, Co 80228-2583

Subject: Initiation of Section 106 Consultation for the Evergreen Road Rehabilitation Project (CA FLAP CR393400(1))

Dear Ms. Longley:

The Office of Historic Preservation (OHP) received your letter on January 30, 2017 in which the Federal Highway Administration, Central Federal Lands Highway Division (FHWA-CFLHD) is initiating consultation with the State Historic Preservation Officer (SHPO) regarding the above referenced undertaking in compliance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 470f), as amended, and its implementing regulations 36 CFR 800. FHWA-CFLHD is requesting consultation with the SHPO on their finding of no adverse effect pursuant to 36 CFR §800.5(b). The following documentation was submitted with your letter:

- *Cultural Resources Technical Report Evergreen Road Rehabilitation Project* (Connolly and Glenny 2017)

FHWA-CFLHD, in cooperation with Tuolumne County, the USDA Forest Service-Stanislaus National Forest (SNF), and the National Park Service-Yosemite National Park, is proposing to implement improvements to approximately 7.4 miles of Evergreen Road, a County-maintained road, between State route 120 (SR 120) and Mather Road. The undertaking is located in southern Tuolumne County approximately 23 miles to the east of Groveland, California. FHWA-CFLHD has defined and documented the area of potential effects (APE) as encompassing approximately 131 acres and includes all areas of potential disturbance associated with the undertaking. Further detail about the undertaking and a description of the APE can be found on pages 1 and 2 of your letter, and pages 2-1 and 2-3 and Figure 2-1 in Connolly and Glenny 2017.

On behalf of FHWA-CFLHD, consultation and identification efforts for this undertaking were conducted by cultural resource staff with HDR, Inc. (HDR) and are documented in

Connolly and Glennly 2017. Efforts consisted of record searches conducted at SNF and the Central California Information Center, and consultation with local historical societies. The record search identified that a number of previous cultural resource surveys occurred that resulted in the previous recordation of 20 cultural resources within the APE. HDR cultural resource specialists also conducted a pedestrian archaeological survey of portions of the APE. Due to the high degree of survey coverage within the 91 acres of SNF, most of the previously surveyed portions of the APE were not surveyed as part of the identification efforts for this undertaking. There was limited survey efforts within two parcels (private property) due to access restrictions. Within these parcels, visual inspection of the APE within 10-25 feet from the road shoulder was used in lieu of a pedestrian archaeological survey. Historical research and a study of previous site records was also conducted of the restricted parcels. The pedestrian archaeological survey resulted in the identification of eight new cultural resources.

Native American consultation was conducted by FHWA-CFLHD and included letters to the Chicken Ranch Rancheria of Me-Wuk, Tuolumne Band of Me-Wuk, and Southern Sierra Miwuk Nation. FHWA-CFLHD received a response from the Tuolumne Band of Me-Wuk requesting interest in consulting on the undertaking. FHWA-CFLHD provided a copy of the cultural resource report to the Tuolumne Band of Me-Wuk, and to date they have not provided comments or concerns regarding the undertaking or known resources of religious and cultural significance to them.

On March 7, 2017 via email OHP staff requested further information regarding FHWA-CFLHD's delineation of the APE, identification efforts, and finding of no adverse effect. OHP received a response to our office's questions as well as supplemental information from FHWA-CFLHD on March 14, 2017.

As stated above, identification efforts resulted in the identification of 28 resources within the APE. Of these 28 resources, FHWA-CFLHD determined that 21 are ineligible for listing on the National Historic Preservation Act (NRHP) under all criteria. Based on the documentation submitted, **I concur** that the following are ineligible for listing on the NRHP under all criteria:

Primary/Trinomial Number	Description	Notes
P-55-000110/CA-TUO-2007H	Hetch Hetchy Railroad Grade Segment	Segment section within APE ineligible
P-55-001849/CA-TUO-0838H	California Peach and Fig Railway Segment	
P-55-002032/CA-TUO-1025	Lithic Scatter	
P-55-002818/CA-TUO-1831H	California Peach and Fig Railway Segment	The following segments have been determined ineligible: 570-1, 645-1, 692-1, 692-2, 692-3
P-55-004078/CA-TUO-3099H	Evergreen Lodge	

P-55-004140/CA-TUO-3164H	Big Oak Flat Road	Segment section within APE ineligible
P-55-004601/CA-TUO-4028H	Tioga Road	Segment section within APE ineligible
P-55-004612	Evergreen Bridge	
P-55-004879/CA-TUO-4139	Bedrock milling site with associated lithic scatter	
P-55-009424/CA-TUO-5994	Bedrock milling site with associated lithic scatter	
P-55-006806/CA-TUO-4652H	Peach and Fig Recreation Tract	
P-55-009490/CA-TUO-5988H	Hog Ranch/Evergreen Road	
P-55-009494	Camp Mather Septic System Segment	
P-55-009497	Corrugated Steel Culvert	
P-55-009495	Historic Can	
P-55-009496	Historic Bell Jar	

FHWA-CFLHD determined that the following are non-contributing components to the Camp Mather/Hog Ranch Historic District (P-55-009488): P-55-00010, -002818, -004078, -004879, 009424, -009490, and -009494. **I concur.** FHWA-CFLHD determined that P-55-009491 is a contributing element to the Camp Mather/Hog Ranch Historic District (P-55-009488). **I concur.**

In our March 7, 2017 email, OHP staff requested that you provide information as to previously received SHPO consensus of resources within the APE. Your response to our office did not provide us with documentation as to which of these resources had previously been determined ineligible with SHPO consensus. Additionally you stated that the SHPO should have copies of previous correspondence for other projects in the area and if not, then the SNF may have this information but that it is not available at this time. Please note that the SHPO does not have a filing system or database in which to search "previous correspondence for other projects in the area" to determine whether or not a determination of eligibility received SHPO consensus. Please provide documentation of SHPO consensus for P-55-000357/CA-TUO-1844/H.

Our March 7, 2017 email also noted that it appears that the known prehistoric archaeological sites within the APE are clustered along Evergreen Rd, and we asked if there was a possibility that these sites represent an archaeological district. Your response was that an archaeological district was discussed, "but it did not seem appropriate based on discussions with the Forest Service archaeologist, Kathy Strain." Please elaborate regarding the details of your consultation with Ms. Strain, and provide our office with information as to how it was deemed inappropriate to consider these sites as an archaeological district.

For the purposes of this undertaking only, FHWA-CFLHD will treat the following cultural resources as eligible for listing on the NRHP:

- P-55-001239/CA-TUO-0211: a prehistoric site with bedrock milling features and lithic scatter;
- P-55-001250/CA-TUO-0222: a prehistoric site with bedrock milling features and lithic scatter;
- P-55-003645/CA-TUO-2659H: historic Stone Meadow Ranch with cabin, barn, and associated historic resources;
- P-55-004371/CA-TUO-3404: a prehistoric site with lithic scatter;
- P-55-009491/CA-TUO-5989H: Camp Mather/Hetch Hetchy Gateway Sign;
- P-55-009492/CA-TUO-5990: a bedrock milling feature; and
- P-55-009488: Camp Mather/Hog Ranch Historic District.

Evergreen Road passes through sites P-55-001239, -001250, -003645, -004371, -009491, and -009488, and is within a few feet of P-55-009492. FHWA-CFLHD has applied the criteria of adverse effect and finds that effects to portions of P-55-001239, -001250, -004371, and -009492 will not alter the characteristics that might make the site eligible for listing on the NRHP under Criterion D. Environmentally sensitive areas (ESA) fencing will be utilized at P-55-001239, -004371, and -009492 to avoid adverse effects and all construction near P-55-001250 will be limited to the existing roadway, adjacent shoulders, and previously disturbed areas. Your March 14, 2017 letter indicates that FHWA-CFLHD is currently reviewing the current design plans and that you anticipate construction adjacent to P-55-001239 and -001250 will be limited to the existing roadway, adjacent shoulders, and previously disturbed areas. However, in the event that this is not feasible, FHWA-CFLHD will retain an archaeological monitor to observe ground-disturbing activities within these two site locations. FHWA-CFLHD has also applied the criteria of adverse effect and finds that the effects of the undertaking will not adversely affect the eligibility of P-55-003645, -009488, or -009491 for listing on the NRHP.

Based on FHWA-CFLHD's identification efforts they have arrived at a finding of no adverse effect for this undertaking. After reviewing the information submitted, I cannot concur with your finding of *no adverse effect* at this time for the following reasons:

- You have not provided documentation of SHPO consensus that P-55-000357/CA-TUO-1844/H is ineligible under all NRHP criteria;
- You have not provided our office with information as to how it was deemed inappropriate to consider an archaeological district within the APE;
- Please note that construction monitoring should not be used in place of completing identification efforts as part of the Section 106 process. If there is a likelihood that construction activities cannot be limited to the existing roadway, adjacent shoulders, and previously disturbed areas within the boundaries of P-55-001239 and -001250, adequate identification efforts should be completed of these sites to inform your finding of effect; and

- With regards to the additional documentation submitted pertaining to Camp Mather/Hog Ranch, there appears to be a disconnect between your letter and pages 7-10 of Connolly and Glenny 2017. The report states that the sign may need to be moved as part of the project. If this is true, then that activity should be considered as part of your finding of effect.

The submittal of the requested additional documentation will greatly facilitate the completion of Section 106 review in a timely manner. If you require further information, please contact Natalie Lindquist at 916-445-7014 or Natalie.Lindquist@parks.ca.gov or Alicia Perez at 916-445-7020 or Alicia.Perez@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

**OFFICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION**

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July 6, 2017

VIA ELECTRONIC MAIL

Reply in Reference To: FHWA_2017_0130_001

Wendy Longley, PE
Federal Highway Administration, Central Federal Lands Highway Division
12300 West Dakota Avenue
Suite 380
Lakewood, Co 80228-2583

Subject: Continuing Consultation for the Evergreen Road Rehabilitation Project (CA FLAP CR393400(1))

Dear Ms. Longley:

The Federal Highway Administration, Central Federal Lands Highway Division (FHWA-CFLHD) is continuing consultation with the State Historic Preservation Officer (SHPO) regarding the above referenced undertaking in compliance with Section 106 of the National Historic Preservation Act of 1966 (54 U.S.C. 470f), as amended, and its implementing regulations 36 CFR 800. The Office of Historic Preservation (OHP) received your letter on June 6, 2017 via email in which FHWA-CFLHD provided clarification and supplementation information to support their finding of no adverse effect pursuant to 36 CFR §800.5(b). FHWA-CFLHD has submitted this information in response to questions posed in the May 26, 2017 SHPO response letter.

FHWA-CFLHD, in cooperation with Tuolumne County, the USDA Forest Service-Stanislaus National Forest (SNF), and the National Park Service-Yosemite National Park, is proposing to implement improvements to approximately 7.4 miles of Evergreen Road, a County-maintained road, between State route 120 (SR 120) and Mather Road. The undertaking is located in southern Tuolumne County approximately 23 miles to the east of Groveland, California. FHWA-CFLHD has defined and documented the area of potential effects (APE) as encompassing approximately 131 acres and includes all areas of potential disturbance associated with the undertaking.

In previous consultation with our office, efforts resulted in the identification of 28 resources within the APE. The SHPO provided concurrence with FHWA-CFLHD's determination of eligibility and ineligibility for listing on the National Register of Historic Places (NRHP) of several of these resources in the May 26, 2017 SHPO response letter.

FHWA-CFLHD also indicated in previous consultation that for the purposes of this undertaking only, FHWA-CFLHD will treat the following resources as eligible for listing on the NRHP:

- P-55-001239/CA-TUO-0211: a prehistoric site with bedrock milling features and lithic scatter;
- P-55-001250/CA-TUO-0222: a prehistoric site with bedrock milling features and lithic scatter;
- P-55-003645/CA-TUO-2659H: historic Stone Meadow Ranch with cabin, barn, and associated historic resources;
- P-55-004371/CA-TUO-3404: a prehistoric site with lithic scatter;
- P-55-009491/CA-TUO-5989H: Camp Mather/Hetch Hetchy Gateway Sign;
- P-55-009492/CA-TUO-5990: a bedrock milling feature; and
- P-55-009488: Camp Mather/Hog Ranch Historic District.

Evergreen Road passes through sites P-55-001239, -001250, -003645, -004371, -009491, and -009488, and is within a few feet of P-55-009492. FHWA-CFLHD has applied the criteria of adverse effect and finds that effects to portions of P-55-001239, -001250, -004371, and -009492 will not alter the characteristics that might make the sites' eligible for listing on the NRHP under Criterion D. FHWA-CFLHD has also found that the effects of the undertaking will not adversely affect the eligibility of P-55-003645, -009488, or -009491 for listing on the NRHP. As indicated in your June 6, 2017 letter, FHWA-CFLHD has clarified that the following conditions will be implemented to avoid adverse effects to these properties:

- Environmentally sensitive areas (ESA) fencing will be utilized at P-55-001239, -004371, and -009492 to avoid adverse effects; and
- All construction near P-55-001250 will be limited to the existing roadway, adjacent shoulders, and previously disturbed areas. An archaeological monitor will be present during all construction activities to ensure that the contractor stays within the confines of the previously disturbed areas.

Based on FHWA-CFLHD's identification efforts they have arrived at a finding of no adverse effect for this undertaking. After reviewing the additional information submitted in your June 6, 2017 letter, **I concur** with your finding of no adverse effect with the above listed conditions.

Please be advised that under certain circumstances, such as post-review discoveries or a change in the undertaking description and APE, you may have future responsibilities for this undertaking under 36 CFR Part 800. If you require further information, please contact Natalie Lindquist at 916-445-7014 or Natalie.Lindquist@parks.ca.gov or Alicia Perez at 916-445-7020 or Alicia.Perez@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer