

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: May 7, 2013

Reference No.: 2.2c (17)
Action

From: ANDRE BOUTROS
Executive Director

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
MITIGATED NEGATIVE DECLARATION FOR THE DEHY PARK IMPROVEMENTS
PROJECT (RESOLUTION E-13-36)**

ISSUE:

Should the Commission, as a Responsible Agency, accept the Mitigated Negative Declaration (MND) for the Dehy Park Improvements Project (project) in the community of Independence in Inyo County and approve the project for future consideration of funding?

RECOMMENDATION:

Staff recommends that the Commission accept the MND and approve the project for future consideration of funding.

BACKGROUND:

The County of Inyo (County) is the CEQA lead agency for the project. On June 30, 2006, the County adopted the final MND and found that the project would not have a significant effect on the environment after mitigation. On January 18, 2012, Caltrans determined the project to be categorically excluded from NEPA pursuant to 23 CFR 771.117(c)(3).

The project is located west of US Highway 395 near the north end of the community of Independence in Inyo County. The project will construct various improvements to Dehy Park including: relocating the existing parking lot to the south, constructing pedestrian facilities and pathways throughout the park, replacing the existing footbridge over Independence Creek, installing new fences, installing new information kiosks, and constructing a visitor center.

Impacts that require mitigation measures to be reduced to a less than significant level relate to Air Quality, Biological Resources, Cultural Resources, Geology & Soils, Hazards, Hydrology & Water Quality, Noise, and Transportation & Traffic. Mitigation measures include, but are not limited to: development of a grading plan including measures to reduce emissions from construction equipment and wind-blown soil; avoidance and minimization measures associated with the four-winged saltbrush and net-leaf hackberry plant species and various avian species; subsurface analyses to

determine eligibility of sites for the National Register of Historic Places and identification of areas to be avoided during construction, measures to address the proper handling of inadvertent discovery of cultural resources and/or human remains; development of a construction erosion control plan, placement of new bridge abutments over the ordinary high water mark of Independence Creek, avoidance of in-stream channel work, replanting of disturbed soil; preparation and implementation of a Health and Safety plan prior to construction; incorporation of bridge design measures to span the bankfull creek width with a minimal face profile to limit the potential for flow blockage and capture of debris; implementation of construction noise control measures such as restricting construction hours to minimize noise disturbance, utilizing construction equipment furnished with noise control devices; and limitations on delivery of materials and large construction equipment to minimize conflicts with commuter traffic.

On March 19, 2013, the County confirmed that the preferred alternative set forth in the final environmental document is consistent with the project scope of work programmed by the Commission. On April 16, 2013, the County confirmed that the 2006 MND remains valid and that there are no new impacts requiring mitigation which have been identified since adoption of the MND in 2006.

The project is fully funded through construction and is estimated to cost \$1,076,000. The project is funded with STIP-TE (\$1,076,000). Construction is estimated to begin in fiscal year 2013/14.

Attachments

- Resolution E-13-36
- Project Location

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 09 – Inyo County Resolution E-13-36

- 1.1 **WHEREAS**, the County of Inyo (County) has completed a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
 - Dehy Park Improvements Project (Eastern Sierra Scenic Byway Tourist Center)
- 1.2 **WHEREAS**, the County has certified that the Mitigated Negative Declaration has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the project will construct various improvements to Dehy Park including: relocating the existing parking lot to the south, constructing pedestrian facilities and pathways throughout the park, replacing the existing footbridge over Independence Creek, installing new fences, installing new information kiosks, and constructing a visitor center; and
- 1.4 **WHEREAS**, the California Transportation Commission, as a Responsible Agency, has considered the information contained in the Final Mitigated Negative Declaration; and
- 1.5 **WHEREAS**, the County found that the proposed project would not have a significant effect on the environment after mitigation; and
- 1.6 **WHEREAS**, the County approved the Final Mitigated Negative Declaration.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby accept the Final Mitigated Negative Declaration and approve the above referenced project to allow for future consideration of funding.

