

MINUTE ITEM

This Calendar Item No. C24 was approved as Minute Item No. 24 by the California State Lands Commission by a vote of 2 to 0 at its 2/27/96 meeting.

**CALENDAR ITEM
C24**

A 2

02/27/96

S 4

W 24099

D. Jones

PRC 7875

GENERAL LEASE - RIGHT OF WAY USE

APPLICANT:

City of Redding
Department of Public Works
760 Parkview Avenue
Redding, California 96001

AREA, TYPE LAND AND LOCATION:

Submerged land in the Sacramento River in the City of Redding, Shasta County.

LAND USE:

Replacement of Diestelhorst Bridge across the Sacramento River at River Mile 298.8.

CURRENT LEASE TERMS:

Lease period:
25 years beginning March 1, 1996.

CONSIDERATION:

The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

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PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and expense deposit have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

08/1/96

OTHER PERTINENT INFORMATION:

1. The 75-year old Diestelhorst Bridge has deteriorated and become inefficient for modern-day traffic demands. Adjacent subdivision development on the north side of the Sacramento River is creating additional vehicle traffic. The Sacramento River Trail, a pedestrian and bike trail, has been developed along both sides of the River, and has contributed to pedestrian and bicycle traffic on the bridge. Further, the North Market Street Bridge, which crosses the Sacramento River approximately 3,000 feet east of Diestelhorst Bridge, the only major collector street between downtown Redding and the north Redding area, is inadequate to accommodate future traffic volumes. These conditions necessitate bridge that meets modern traffic demands at this location.

APPROVALS OBTAINED:

City of Redding.

FURTHER APPROVALS REQUIRED:

State Lands Commission; U.S. Army Corps of Engineers, State Reclamation Board, California Regional Water Quality Control Board, Department of Fish and Game.

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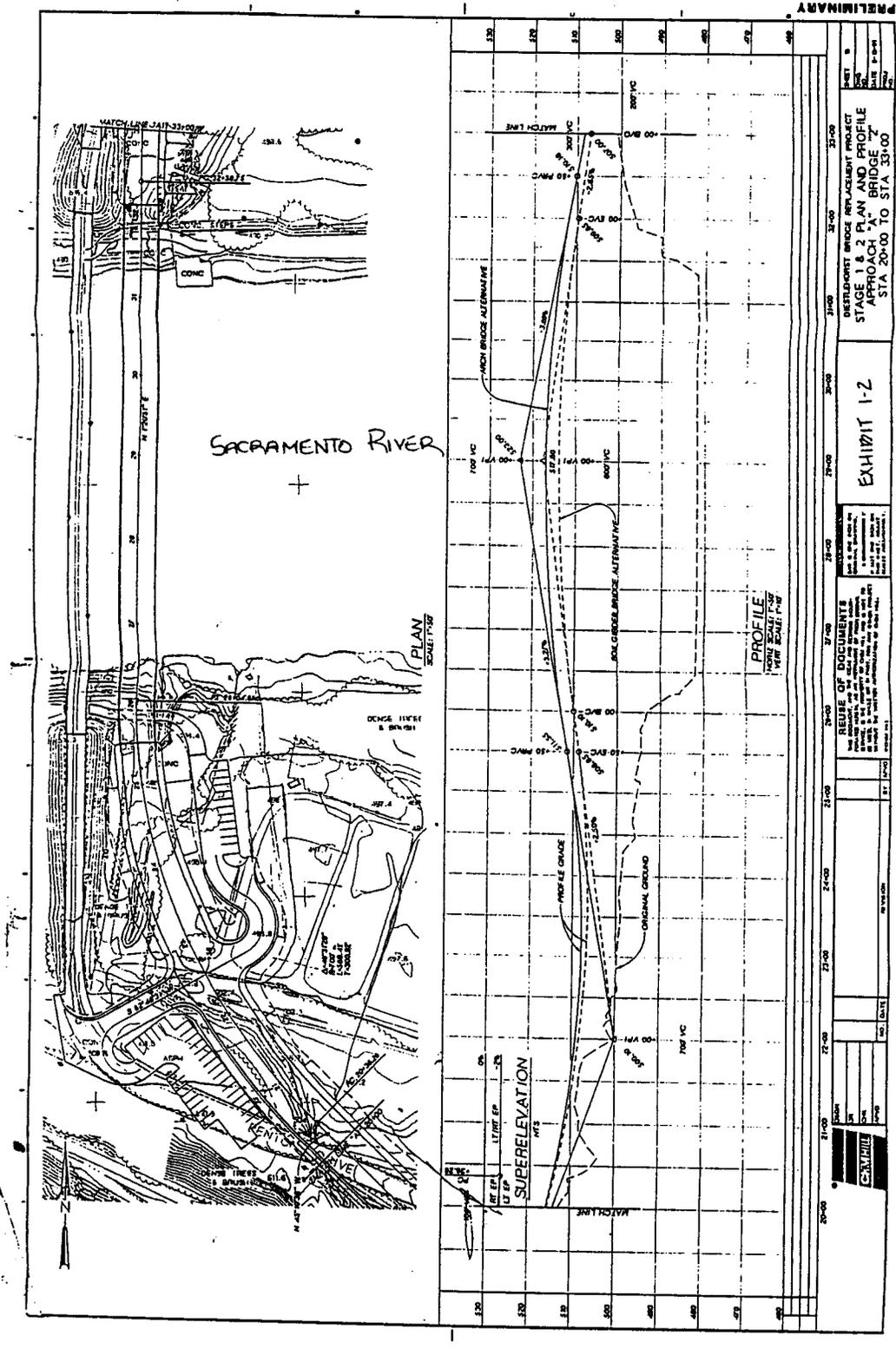
CALENDAR ITEM NO. **C24** (CONT'D)

EXHIBITS:

- A. Land Description
- B. Location Map
- C. CEQA Findings
- D. Mitigation and Monitoring Plan

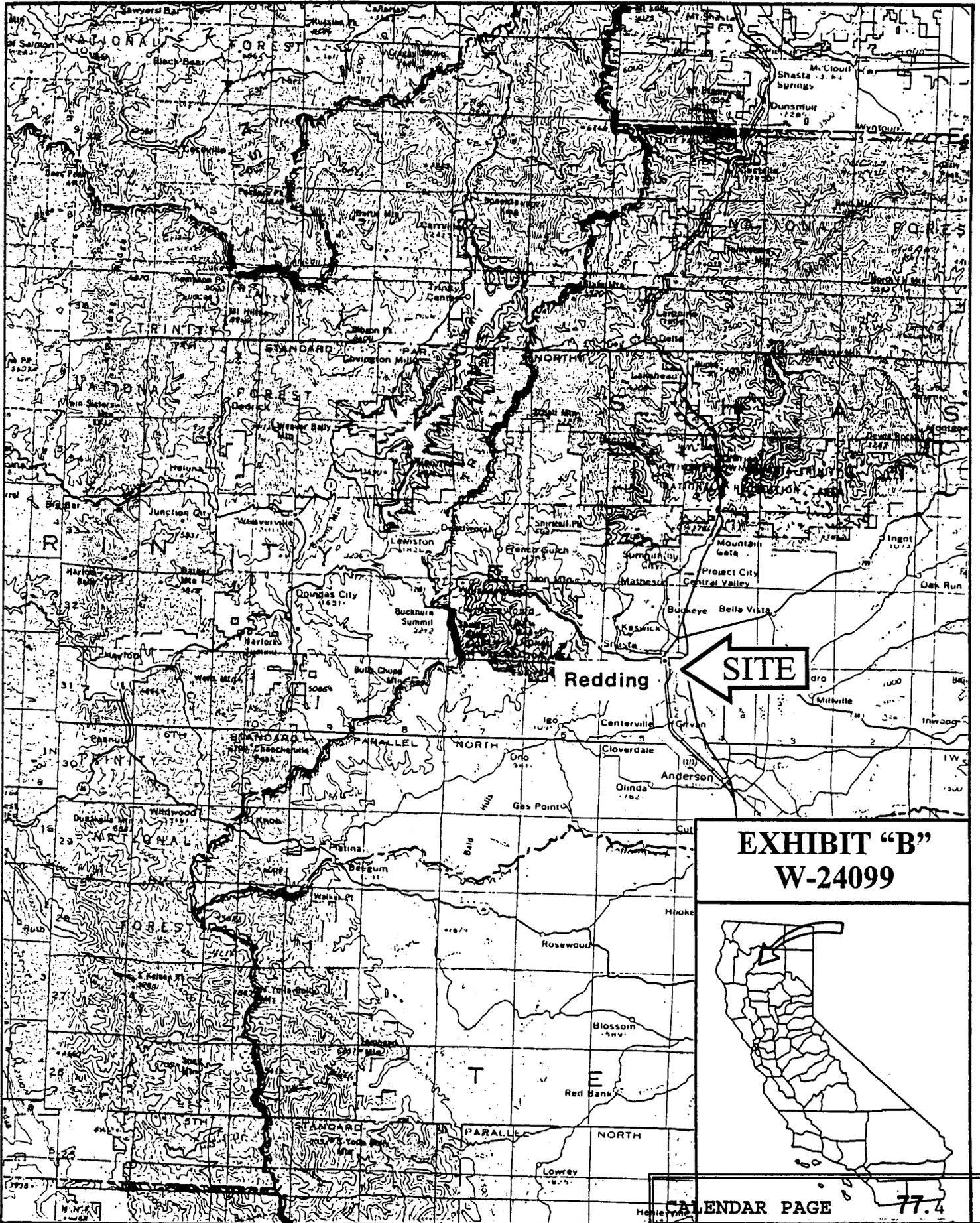
IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL ASSESSMENT AND MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF REDDING AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. ADOPT THE FINDINGS MADE IN CONFORMANCE WITH SECTION 15096(H) OF THE STATE CEQA GUIDELINES, AS CONTAINED IN EXHIBIT "C" ATTACHED HERETO.
3. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.
4. AUTHORIZE ISSUANCE TO THE CITY OF REDDING OF A 25-YEAR GENERAL LEASE - RIGHT OF WAY USE BEGINNING MARCH 1, 1996; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE REPLACEMENT OF THE DIESTELHORST BRIDGE ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.



This exhibit is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or other property.

EXHIBIT "A" 77.3
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SITE

Redding

EXHIBIT "B"
W-24099



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EXHIBIT "C"

CEQA FINDINGS

1. LAND USE

Impact: Increased noise, dust, and pollution in the park during construction activity.

Mitigation: The City of Redding will provide a landscape buffer between the proposed bridge facility and Lake Redding Park. The buffer will be at least 15 feet wide and will extend the length of Benton Drive. The landscape buffer will consist of native and riparian trees and shrubs and will be most dense from the river northward 500 feet.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: Implementation of the identified mitigation measure will reduce the identified impact to a less-than-significant level. The mitigation will be implemented and monitored by the City of Redding Parks and Recreation Director during project design and within three months after completion of construction.

2. NOISE

Impact: Construction noise.

Mitigation: The City of Redding will incorporate the following noise-reducing practices into the construction contract:

- Restrict construction within 1,000 feet of residences to daytime hours. No construction shall be performed within 1,000 feet of an occupied dwelling unit on Sundays, legal holidays, or between the hours of 10 p.m. and 7 a.m. on other days. Any variance from this condition must be approved by the City of Redding.

- All equipment shall have sound-control devices no less effective than those provided on the original equipment. No equipment shall have an unmuffled exhaust.
- No pile-driving or blasting operations shall be performed within 3,000 feet of an occupied dwelling unit on Sundays, legal holidays, or between the hours of 8 p.m. and 8 a.m. on other days. Any variance from this condition must be approved by the City of Redding.
- The noise from any rock-crushing or screening operations performed within 3,000 feet of an unoccupied dwelling unit shall be mitigated by strategic placement of material stockpiles between the operation and the affected dwelling or by other means approved by the project manager.
- As directed by the City of Redding, the contractor shall implement appropriate additional noise mitigation measures including, but not limited to, changing the location of stationary construction equipment, shutting off idling equipment, rescheduling construction activity, notifying adjacent residents in advance of construction work, or installing acoustic barriers around stationary construction noise sources.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: Implementing the project would temporarily expose noise sensitive land uses to construction noise during project construction. The types of construction equipment used for this project would typically generate noise levels of 80-90 dBA at a distance of 50 feet while the equipment is operating. Implementation of the identified mitigation measures will reduce the noise level to a less-than-significant level. The City of Redding Public Works Director will implement and monitor the mitigation measure during construction until completion.

3. WATER QUALITY

Impact: Implementing the project would increase turbidity and total suspended solids during construction in the river. Construction activities such as pile driving could result in short-term temporary increases in turbidity and suspended solids concentrations in the water column, possibly violating the Central Valley Regional Water Quality Control Board's (CVRWQCB) basin plan objectives for turbidity and possibly covering salmon redds downstream of the construction area.

Mitigation: Ensure Turbidity Increases Do Not Exceed 20% of Natural Turbidity Levels. To avoid or minimize potential impacts on winter-run chinook salmon related to increased turbidity and sedimentation, the City of Redding will ensure that turbidity increases do not exceed 20% of natural turbidity levels according to the CVRWQCB water quality objective for turbidity for the Sacramento River Basin. Natural turbidity levels are defined as 0-50 Nephelometric Turbidity Units (NTUs) for the Sacramento River; an NTU is roughly equivalent to a Johnson Turbidity Unit (JTU) within the range of turbidity in the Sacramento River (CVRWQCB 1989).

The City of Redding is required to consult with the CVRWQCB regarding a Section 401 water quality permit, file an application for a waste discharge permit, and comply with the monitoring and reporting requirements for project construction.

The City of Redding will retain a qualified water quality specialist to monitor turbidity levels 50 feet upstream and 300 feet downstream of the point of construction activities. Grab samples will be taken four times daily, at times when construction activities potentially have the greatest water quality impact.

Increases in turbidity at the downstream monitoring point will not exceed 20% of natural turbidity levels to the upstream monitoring point. If the increase exceeds 20% at any time during construction, actions will be implemented immediately to reduce and maintain turbidity at or below the 20% levels. Potential actions include ceasing construction activities until turbidity is at or below the 20% level. This measure will be implemented consistent with requirements of the Department of Fish and Game and

CVRWQCB.

Prepare and implement an erosion and sediment control plan.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Regional Water Quality Control Board)

Rationale: Implementing the identified mitigation measure will ensure that turbidity levels will not exceed 20% NTU. The City of Redding Public Works Director will implement the identified mitigation during project design and after construction and after the first winter following construction (March 31).

Impact: Potential Contamination of the Sacramento River from Hazardous Materials Spills and Bridge Storm water Runoff

Mitigation: Design Bridge Drainage System to Avoid Direct Discharge into the River and to Allow for Cleansing of Storm water Runoff.
The City of Redding will design the bridge drainage system to avoid direct discharge into the river and to allow for cleansing of Storm water runoff before it is percolated into groundwater or discharged into the Sacramento River. The bridge drainage system will be designed to convey Storm water runoff through a series of conduits to a small retention basin or overland flow area where hazardous materials could be captured for subsequent cleanup or possible evaporation. If a hazardous materials spill were to occur, the small retention basin would store the spilled material and allow more time for the City of Redding Fire Department to respond to the spill before contaminants entered the river.

Additional water quality benefits would occur by capturing Storm water runoff generated from the bridge. The retention basin will be designed to store at least a two-year storm event and be landscaped to blend with the existing area.

Finding: Changes or alterations have been required in, or incorporated into,

the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Regional Water Quality Control Board)

Rationale: Implementation of the identified mitigation measure will ensure that contamination of the Sacramento River does not occur. The City of Redding Public Works Director, in conjunction with the design consultant under contract with the City of Redding will implement the identified mitigation measure with project design and during construction to ensure compliance.

4. GEOLOGY AND SOILS

Impact: Increased Soil Erosion and Sedimentation during Project Construction.

Mitigation: Prepare and Implement an Erosion and Sediment Control Plan. The City of Redding will prepare and implement an erosion and sediment control plan for all features and stages of the project before grading begins. This plan would meet Caltrans standard specifications and would control short- and long-term erosion and sedimentation, as well as restore preproject topography, water resources, soils, and vegetation. General features of the plan would include, but would not be limited to, the following:

- Complete revegetation and stabilization of disturbed soils. Reseeding and mulching work will be completed by October 1 of any year following grading. If erosion control practices are not installed by October 1 of any year following grading, exposed soils may require additional treatment following seasonal rains and subsequent erosion.
- Interceptor ditches to direct water away from the tops of cut-and-fill slopes.
- Small sediment catchment basins or traps to prevent sediment from being transported away from development

sites. The location and size of these basins will be designed to minimize any impacts on riparian areas, wet areas, and the community garden. Types of sediment traps to be considered include filter berms, straw-bale barriers, filter inlets, vegetative filter strips, and culvert risers.

- Details regarding seed material, fertilizer, and mulching. The seed material will include native plant species and be approved by a revegetation specialist or erosion control specialist.

The site specific, detailed features of the erosion and sediment control plan will be incorporated into the construction contract and specified on the alignment sheets, and will include the following:

- construct the project and rehabilitate disturbed areas to a uniformly high standard along the entire length of the project alignment, regardless of land ownership (i.e. private, local, state, or federal);
- restore original contours unless otherwise directed by a geotechnical engineer;
- salvage, protect, and utilize the highest quality soil for revegetation;
- provide erosion and sediment control as required; and
- discourage non-noxious weed competition and control noxious weeds.

The following considerations will be used by the City of Redding as a guide to develop a final plan once the preferred project alignment has been selected and detailed design work has begun:

- inform all supervisory construction personnel of environmental concerns, pertinent laws and regulations, and final rehabilitation specifications and design;
- enforce environmental protection measures in the field during construction;

- confine all vehicular traffic associated with construction to the ROW or designated access roads;
- limit disturbance to the minimum necessary to efficiently complete construction activities;
- clear steep slopes only when construction is scheduled;
- salvage topsoil only when the soil exhibits good tilth and is moderately dry;
- leave gaps in the spoil pile at drainages to accommodate surface runoff;
- minimize disturbance of drainage channels;
- conduct grading away from watercourses to reduce the risk of material entering the watercourse;
- ensure that channels are not blocked with graded material;
- direct any necessary trench dewatering onto stable surfaces in a manner that does not cause soil erosion;
- use bales or silt fences where appropriate;
- work replaced topsoil with a disc, chisel plough, or similar tool to reduce compaction or crusting before fertilizing and seeding; and
- leave replaced topsoil in as roughened a condition as possible (i.e. clods) until it is seeded and stabilized to discourage wind erosion (additional stabilization may be required on slopes, in drainages, and near watercourses).

The City of Redding will develop the plan in cooperation with FHWA, the State Lands Commission, DFG, and other state agencies with jurisdiction. Mitigation measures for bank restoration and revegetation would be included as conditions of the Streambed Alteration Agreement pursuant to Sections 1600-1606 et seq. Of the Fish and Game Code.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

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Rationale: Implementation of the identified mitigation measures will ensure that soil erosion and sedimentation impacts are less-than-significant. The City of Redding Public Works Director will work with the design consultant under contract with the City of Redding to implement and monitor the mitigation in the project design and throughout the construction process until after the first winter following construction (March 31).

5. VEGETATION, WILDLIFE AND AQUATIC RESOURCES

Impact: Loss of .80 acres of mixed riparian forest habitat.

Mitigation: Avoid and Minimize Losses of Riparian Vegetation. The City of Redding will avoid and minimize losses of mixed riparian habitat by:

- allowing the construction to occur only within the minimum width of the construction ROW as determined by the City of Redding Director of Public Works and
- protecting riparian vegetation not proposed for removal from inadvertent harm or mortality during the construction phase of the project.

Fully compensating for Losses of Riparian Vegetation. The City of Redding will fully compensate for losses of riparian vegetation. To achieve a no-net loss of function and value, the City of Redding will replace riparian vegetation at a minimum ratio of 3:1 as requested by DFG to fully mitigate the resources eliminated by the project. A potential mitigation site could include the tree-of-heaven habitat in the project vicinity, where this non-native species could be replaced by a mixture of native forest species.

The City of Redding prepared a detailed mitigation and monitoring plan in consultation with DFG and USFWS. The mitigation plan, entitled "Final Habitat Mitigation and Monitoring Plan for the Proposed Diestelhorst Bridge Replacement and North Court Street Extension Project, dated December 1995" is incorporated herein by reference. Generally, the mitigation specify:

A design that retains the continuity of the mixed riparian woodland with adjacent communities along the Sacramento River;

The City of Redding would fund the cost of the mitigation plan.

Implementing this mitigation measures would result in the loss of at least 2.4 acres in the project vicinity to create the replacement habitat. The existing tree-of-heaven habitat in the project area is proposed to be used to reduce this impact to less than significant.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game and the U.S. Fish and Wildlife Service)

Rationale: Implementation of the identified mitigation measures will reduce the identified loss of mixed riparian forest habitat to a less-than-significant level. The City of Redding design consultant under contract with the City of Redding or the Project Engineer with the City of Redding will implement and monitor the identified mitigation in the project design and complete five years after completion of construction.

Impact: Disturbance to Nesting Cliff Swallows and Barn Swallows under Diestelhorst Bridge. Implementing the project would disturb nesting cliff swallows and barn swallows under Diestelhorst Bridge during Stage 1. Cliff swallow nests were observed under Diestelhorst Bridge during the site survey. Barn swallows could also nest under the bridge, although none were sited during the survey. Nesting cliff swallows and barn swallows are protected under the federal Migratory Bird Treaty Act.

Mitigation: Avoid and Minimize Disturbance to Nesting Cliff Swallows and Barn Swallows during Construction. The City of Redding will ensure that the construction contractor makes every effort to avoid disturbing any nests from April through July during construction. Cliff swallows and barn swallows nest during this period. The City of Redding planning and community development director

will be responsible for ensuring that this mitigation measure is implemented and monitored.

The City of Redding will implement one of the following measures to reduce this impact to a less-than-significant level:

- Remove all empty nests before the colony returns to the site. The nests will be removed by washing them down with water or knocking them down with a pole and scraper in March when the nests are inactive. Swallows are strongly attracted to old nests or to the remnants of deteriorated nests, so all traces of mud will be removed. Removal must be done weekly to effectively discourage nesting during construction. No permits are required if the nests are inactive. A nest is considered active if it contains eggs or nestlings.
- If weekly removal is inappropriate for this project, netting the undersides of the bridge would be another option. Remove the nests as described above. To prevent swallows from returning to nest under the bridge, cover the concrete undersides with 1/2- to 3/4-inch mesh plastic net or poultry wire in March before construction. The netting will be securely anchored to the sides so that no openings are present where swallows might enter. The netting will extend 3-4 inches from the sides of the bridge so that the swallows cannot attach their nests to the net and bridge. The netting will be monitored to ensure its continued integrity. If swallows begin building nests under the bridge, the nests can be washed down before egg laying begins. No permit would be required under these conditions. If egg laying occurs, a permit from USFWS would be required to remove the nest.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California

Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Implementation of the identified mitigation measures will ensure impacts to the Nesting Cliff Swallows and the Barn Swallows are less-than-significant. The City of Redding Public Works Director and the City of Redding Planning Director, in conjunction with the City of Redding Project Construction Contractor and the Project Engineer, will implement and monitor the identified mitigation prior to and during construction to ensure compliance.

Impact: Loss of 1.20 Acres of Oak Forest Habitat. Implementing the project would result in the loss of 1.20 acres of oak forest habitat during Stages 1 and 2. During Stage 1, .65 acre of oak forest would be lost and , during Stage 2, an additional .55 acre would be lost. This habitat is classified as a sensitive natural community. Many plant and wildlife species, including special-status species, are dependent on oak forest habitat, which has shown a significant decline from former distribution levels. The wildlife value of the oak forest habitat is increased by this habitat's proximity to the mixed riparian habitat.

Mitigation: Minimize Loss of Oak Forest Habitat. The City of Redding will minimize the loss of oak forest habitat by:

Allowing construction to occur only within the minimum width of the construction right of way; and

Protecting oak forest vegetation that is not proposed for removal from being inadvertently harmed or killed during the construction phase of the project.

Fully compensate for Loss of Oak Forest Vegetation. The City of Redding will fully compensate for loss of oak forest vegetation. To achieve a no-net loss of function and value, the City of Redding will replace oak vegetation at a minimum ration of 2:1 in-kind and in the project vicinity.

The City of Redding will submit annual monitoring reports to U.S. Fish and Wildlife Service and DFG for review. A

potential mitigation site could include the ruderal habitat in the project vicinity.

Implementing this mitigation measure would result in the loss of at least 2.4 acres in the project vicinity to create the replacement habitat. The existing ruderal habitat in the project vicinity could be used to reduce the impact of this mitigation measure to less than significant.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Implementation of the identified mitigation measure will ensure that the impacts to oak land forest vegetation are less than significant, as described in the EIR 88021601. The Design Consultant under contract with the City of Redding or Project Engineer with the City of Redding will implement and monitor the identified mitigation with project design and within five years after completion of construction.

Impact: Potential Loss of Raptor Nests. Implementing the project could result in the loss of raptor nests during Stages 1 and 2. Raptors such as red-willeded hawks could nest in the project area. Although no nest trees were identified in field surveys conducted for this project in 1990 and 1992 and human activities in the area discourage raptors from nesting, active nests may be located in the project area before construction begins.

Mitigation: During Project Construction, Avoid and Protect Active Raptor Nests While They are Occupied and Obtain the Approval of DFG before Removing Nest Trees. The City

of Redding will hire qualified biologists to conduct additional preconstruction field surveys for nesting raptors. Although no nests were identified during 1990 and 1992 field investigations, additional surveys are needed because the locations of nests could change by the time construction begins. Surveys must be conducted during the time of year when birds are building and defending nests or when the young are still in nests and dependent on the parents.

If a raptor nest is found, the City of Redding will implement one of the following measures:

Maintain buffers around raptor nest sites while they are occupied. The radius of buffer will vary depending on the raptor species occupying the nest. Buffer zones should be protected by fences along their perimeters.

Postpone construction activities until after the raptor breeding season ends (September 15). If removal of a nest tree is required before September 15, consult with DFG; removal of a nest tree may constitute a violation of California Fish and Game Code Section 3503.5 Any nest trees removed will be replaced onsite with like varieties.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Implementation of the identified mitigation measure will ensure impacts to raptor nests are less-than-significant. The City of Redding Public Works Director will monitor implementation of the identified mitigation by the Project Engineer with the City of Redding and the Project Construction Contractor under contract with the City of Redding during construction.

Impact: Loss of Elderberry Stems and Potential Valley Elderberry Longhorn Beetle Habitat. Construction of a new bridge downstream of the existing Diestelhorst Bridge would eliminate three elderberry stems greater than one inch in diameter and no stems less than one inch in diameter. All affected elderberry shrubs would be removed during construction of the new bridge and proposed pedestrian/bicycle trail approach to the existing bridge on the south side of the river. Because of the location of the shrubs, avoidance and protection is infeasible.

Other elderberry shrubs in the project area would not be directly affected by the upstream alignment but could be inadvertently disturbed or removed during construction. Dust raised by construction activity during the VELB breeding season could also harm adult beetles and eggs. Dust and construction activity could also adversely affect the health of the elderberry shrubs.

Mitigation: Prepare and Implement a Compensation and Monitoring Plan for the Loss of Elderberry Shrubs and Potential Valley Elderberry Longhorn Beetle Habitat That Cannot Be Avoided.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: The U.S.F.W.S. requires preparation of a compensation and monitoring plan that reduces potential impacts of a proposed project on VELB and describes mitigation measures to ensure that continued existence of the VELB is not jeopardized. The City of Redding will prepare a

compensation plan that is consistent with USFWS "General Compensation Guidelines for the Valley Elderberry Longhorn Beetle" (1988, Located in Appendix B of the Mitigation Monitoring Program) . The plan will address the following elements: goals and objectives of the compensation plan, mitigation site location, transplanting and replacement planting, irrigation specifications, maintenance of mitigation site, short-term and long-term protection measure for VELB habitat areas, monitoring plan, and performance criteria.

The guidelines call for avoidance of habitat whenever possible. When avoidance is impossible, the guidelines direct that all elderberry shrubs with stems greater than one inch in diameter be replaced at a ration determined by the condition of the affected habitat.

The elderberry shrubs potentially directly affected by the project show no evidence of present or past use by VELB; therefore, a replacement ration of 2:1 would be used to mitigate the loss of each elderberry stem greater than one inch in diameter. The six replacement seedlings will be grown from seeds collected locally. Seedlings will be grown in 8- to 10- inch bullet tubes or Dee-Pots, and will be a minimum of 8 inches tall when planted. Transplanting efforts will follow the recommended guidelines specified by the USFWS. Other habitat elements (e.g. valley oaks or cottonwoods) may need to be included in the mitigation area to provide suitable habitat for VELB. Typically, two valley oaks will be planted for each clump of elderberries planted.

The compensation site location will be close to the existing VELB habitat and be able to support VELB habitat in perpetuity. Potential VELB compensation areas include the area east of the Southern Pacific Bridge along the south side of the river, and the area west of the project site along the south side of the river. Human disturbance to the existing elderberry shrubs near the community gardens reduces the quality of this area as a mitigation site for VELB. Selection of the compensation area will be made by mutual agreement between the City of Redding, the FHWA, and the USFWS.

The City of Redding Planning Director will monitor implementation of the identified mitigation measures by the Design consultant under contract with the City of Redding or the Design Engineer with the City of Redding during project design and within five years after completion of construction to ensure compliance.

Implementation of the identified mitigation measure will ensure that impacts to the Valley Elderberry Longhorn Beetle Habitat are less-than-significant.

Impact: Loss of .02 Acre of Riparian Scrub Habitat.

Mitigation: Avoid and Minimize Losses of Riparian Vegetation. Fully Compensate for Losses of Riparian Vegetation. (Both measures previously discussed in "Loss of .80 Acres of Mixed Riparian Forest Habitat", above.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Implementing the project would result in the loss of .02 acres of riparian scrub habitat during Stage 1. The habitat is classified as a sensitive natural community because of the current scarcity and continued decline of this habitat from its former range. Several wildlife and plant species are dependent on this habitat, including several special-status species.

Implementation of the identified mitigation measure will ensure that impacts to riparian scrub habitat are less-than-significant.

The City of Redding Public Work Director and the City of Redding Parks and Recreation Director will monitor implementation of the identified mitigation measures by the Design consultant under contract with the City of Redding or the Design Engineer with the City of Redding during project design and within five years after completion of construction.

Impact: Degradation of Chinook Salmon Habitat from Increased Turbidity and Suspended Sediment during Project Construction.

Mitigation: Ensure Turbidity Increases Do Not Exceed 20% of Natural Turbidity Levels (previously discussed above in "Impact: Increased Turbidity and Suspended Sediment During Construction").

Prepare and Implement an Erosion and Sediment Control Plan (previously discussed above in "Impact: Increased Soil Erosion and Sedimentation during Project Construction").

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Regional Water Quality Control Board, California Department of Fish and Game)

Rationale: (Previously discussed above for the impact, Increased Turbidity and Suspended Sediment During Construction and for Increased Soil Erosion and Sedimentation during Project Construction.)

Implementing the project would increase turbidity and suspended sediment during construction. Construction activities that disturb the streambed or banks would temporarily increase suspended sediment loads and turbidity; longer-term impacts would include

sedimentation. Excessive sedimentation on spawning gravels would greatly reduce the survival rates of chinook salmon eggs and fry within the gravel. Deposition of fine sediments can also degrade rearing habitat by reducing the abundance and availability of aquatic insects on which young salmon feed. Cover and protection of young salmon from high flows and predators may also be lost or reduced.

An extended period of high, suspended sediment concentration and turbidity could adversely affect feeding, growth, and survival of juvenile chinook salmon by reducing feeding success, causing avoidance of important rearing habitat, and altering the timing of downstream migration. Prolonged periods of increased turbidity could also delay migration of adult chinook salmon to spawning areas. The extent of streambed of bank disturbance caused by increased turbidity and sedimentation is unknown.

Implementation of the identified mitigation measures will ensure that impacts to Chinook Salmon habitat are less than significant.

The City of Redding Public Works Director will monitor implementation of the identified mitigation measure by the Design consultant under contract with the City of Redding or Project Engineer with the City of Redding and Project Construction Contractor under contract with the City of Redding during project design and after construction until after the first winter following construction (March 31) to ensure compliance.

- Impact: Loss of Chinook Salmon Spawning Habitat From New Bridge Piers.
- Mitigation: Compensation for Losses of Spawning Habitat.
- Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency

making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency. (California Department of Fish and Game)

Rationale: DFG and the California State Lands Commission have authority to require compensation for loss of spawning habitat or land displaced by the project within the bed and banks of the Sacramento River. The City of Redding and FHWA will consult with CDFG and NMFS to develop a measure to offset the loss of spawning habitat cause by the project. These measures would be included as conditions of the streambed alteration agreement. Potential measures include replacing lost spawning habitat by depositing an equivalent area of spawning gravels in the project area. DFG has an ongoing program to replace spawning gravels to compensate for the loss of gravel recruitment because of upstream dams. Replacement will be coordinated with DFG by the City of Redding Public Works Department. Implementation of the identified mitigation measures by the Project Engineer with the City of Redding and the Project Construction Contractor under contract with the City of Redding will be monitored by the City of Redding Public Works Director to ensure compliance during and after construction.

Impact: Degradation of Chinook Salmon Habitat from Streambed Disturbance.

Mitigation: Prevent Winter-Run Chinook Salmon From Spawning in the Streambed Area Affected by Construction.

Condition A

If salmon eggs or redds are present in the construction area, then construction in the river will be restricted to September 15 through October 15.

Condition B

If salmon eggs or redds are not in the construction area, but are located within 200 yards of the construction area, construction of a work bridge, pipe pile bents, and sheet

pile cofferdams will be restricted to May through October 15. Driving of heavy support piles, if any, will be restricted to August 15 through October 15. Work in the river, outside of cofferdams, that would disrupt the bottom will be restricted to September 15 through October 15.

Condition C

If salmon eggs or redds are not located in or within 200 yards of the construction area, then construction of the work bridge and cofferdams and driving of heavy piles will be restricted to May through October 15. Work in the river outside of the cofferdams that would disrupt the bottom of the river will be restricted to September 15 through October 15 only.

Measures to Prevent Winter-Run Salmon From Spawning

To prevent winter-run salmon from spawning in the work area (Condition B) or within 200 yards of the work area (Condition C), mats will be placed over known spawning habitat. Mats can be placed during April or during a time span specified by DFG in the stream alteration permit.

All mats are to be marked by buoys and shall consist of chain link fence or other suitable material approved by DFG. Mats may be removed as the work bridge construction progresses, provided they are not removed until after spawning season.

The City of Redding will consult with DFG and obtain guidance in determining mat construction, mesh size, and placement areas through the streambed alteration agreement. The City of Redding will also require the contractor to conduct inspections, maintenance, and replacement of mats (if needed) to ensure the mats effectively preclude spawning. The DFG would be responsible for monitoring this mitigation.

Finding:

Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding and California Department of Fish and Game)

Rationale: Implementing the identified mitigation measure will ensure that impacts to Chinook Salmon Spawning Habitat will be less than significant. Placing mats in the construction area would temporarily reduce the amount of available spawning habitat for winter-run chinook salmon. This temporary reduction is considered a less-than-significant impact because availability of spawning habitat is not currently limiting the production of these races. The salmon will spawn in other available habitat and, therefore, would not be affected by the temporary loss in habitat.

The City of Redding will be responsible for implementing and monitoring this measure with CDFG ground surveys from the bridge, DFG aerial surveys, and City-sponsored DFG approved diving surveys of the winter-run spawning and redd distribution.

Impact: Loss of Rearing Habitat for Chinook Salmon from Loss of Riparian Vegetation.

Mitigation: Avoid and Minimize Losses of Riparian Vegetation. (Previously discussed above in Impact: Loss of .80 Acres of Mixed Riparian Forest Habitat.)

Fully Compensate for Losses of Riparian Vegetation (previously discussed above in Impact: Loss of .80 Acres of Mixed Riparian Forest Habitat.)

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Department

of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Implementation of the identified mitigation measure will ensure that the impact of rearing habitat for Chinook Salmon from the loss of riparian vegetation is less than significant. (Also refer to previous discussion above under Impact: Loss of .80 Acres of Mixed Riparian Forest Habitat, above.)

Impact: Creation of Disturbed Areas on South Bank due to construction from Stage 1.

Mitigation: Preserve Trees on Approaches. Replant Trees in all Disturbed Areas. Minimize Losses of Riparian Vegetation. Fully Compensate for Losses of Riparian Vegetation.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Areas considered disturbed are areas viewed by highway users and highway neighbors, who would experience decreased visual quality. Viewer response to this decrease in quality would likely be negative. Additionally, removing vegetation in the parkway would conflict with community goals.

*

The City of Redding, in conjunction with the construction team will preserve trees on the southern bridge approach when possible. When tree preservation is impossible, the trees to be removed will be clearly flagged by the parks and recreation director, and the construction contractor will be clearly instructed to remove only flagged trees.

The City of Redding will replant trees in all disturbed areas. Disturbed areas include bare embankment slopes, areas

cleared or disturbed for construction equipment, and abandoned dirt and paved roads.

For abandoned paved roads, the City of Redding will remove paving that is no longer used and replant the area with trees. Removal of vegetation, when necessary, will be accomplished by scraping and cutting only and not by grubbing. This will encourage roots to resprout.

All replacement vegetation will be irrigated and will consist of native riparian plant species.

Additional discussion on Minimizing losses of riparian vegetation and to fully compensate for losses of riparian vegetation have been previously discussed above under the impact of "Loss of 0.8 Acres of Mixed Riparian Forest Habitat".

Implementation of the identified mitigation measures will ensure that the impact of disturbed areas on the south bank have been reduced to a less-than-significant level.

Impact: Altered Views From Residences Overlooking Diestelhorst Bridge

Mitigation: **Preserve trees on approaches** (previously described under "Impact: Creation of Disturbed Areas on South Bank", above);
Replant trees in all disturbed areas (previously described under "Impact: Creation of Disturbed Areas on South Bank", above);
Minimize losses of riparian vegetation (previously described under "Impact: Loss of 0.8 Acres of Mixed Riparian Forest Habitat", above); and
Fully compensate for losses of riparian vegetation (previously described under "Impact: Loss of 0.8 Acres of Mixed Riparian Forest Habitat", above).

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Previously described under “Impact: Loss of 0.8 Acres of Mixed Riparian Forest Habitat”, and “Impact: Creation of Disturbed Areas on South Bank”, above. Implementation of the identified mitigation measures will ensure that this impact has been reduced to a less-than-significant level.

Impact: Visual Contrast between Replacement Bridge and Diestelhorst Bridge.

Mitigation: Complement Historical Elements of the Diestelhorst Bridge with Design Elements of the Replacement Bridge. The City of Redding, in conjunction with the consulting engineer, will ensure that the selected design of the replacement bridge:

Incorporates the broad style and rhythm of the major structural elements of the Diestelhorst Bridge;

Parallels the line and direction of the Diestelhorst Bridge alignment; and,

Maintains a height, width, and overall mass that is in scale with the Diestelhorst Bridge.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: Implementation of the identified mitigation measures will ensure that the impact of visual contrast between the replacement bridge and the Diestelhorst Bridge is less-than-

significant.

The City of Redding Public Works Director and the City of Redding Planning Director, in conjunction with the Design consultant under contract with City of Redding or Project Engineer with the City of Redding, will implement and monitor the identified mitigation with the project design and within three months after completion of construction, to ensure compliance.

6. CULTURAL RESOURCES

Impact: Potential Disturbance of National Register of Historic Properties (NRHP) - Eligible Property
Through the public agency review process, the existing Diestelhorst Bridge was determined to be eligible to the NRHP.

Mitigation: Avoid Physical Destruction or Alteration of the Diestelhorst Bridge.

Maintain Character of the Existing Diestelhorst Bridge.

Rehabilitate the Existing Diestelhorst Bridge.

Maintain Ownership of the Existing Diestelhorst Bridge.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Office of Historic Preservation, Secretary of the Interior)

Rationale: There will be no physical destruction or alteration of the Diestelhorst Bridge. While the placement of a new bridge adjacent will, to a degree, somewhat obstruct one's view of the existing bridge, the distance between the old and new structures will still allow the existing bridge to be viewed

as a whole from the opposite side, from high ground, and by motorists using the new bridge. Thus, the Diestelhorst Bridge will not be isolated from its setting, nor will its setting be measurably altered by the placement of a new bridge 50 to 115 feet distant.

The placement of the new bridge will not introduce visual, audible, or atmospheric elements out of character with the property and its setting, since both old and new bridges are designed as structures for vehicular traffic. The view of the new bridge will be a contrast in the development of concrete bridge technology over a span of 80 years.

The Diestelhorst Bridge will be rehabilitated according to the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, using Bridge Replacement funds available up to the cost of demolition; and the proposed rehabilitation includes rehabilitation or replication of original electroliers. Following rehabilitation and replacement, the City of Redding will maintain the historic bridge for pedestrian and bicycle use in connection with the Sacramento River Trail. Thus, the bridge will not be subject to neglect.

The property will not be transferred, leased, or sold.

Implementation of the identified mitigation measures will ensure that the impact of disturbance to a NRHP structure is less than significant as determined by the Secretary of Interior.

The City of Redding, Department of Public Works, and Planning Director, in conjunction with the design consultant under contract with the City of Redding or Project Engineer and Project Construction Contractor under contract with the City of Redding will implement and monitor the identified mitigation measures with project design and during construction.

Impact: Potential Disturbance of Undiscovered Archaeologic Sites

Mitigation: Avoid Disturbance of any archaeological site discovered

during construction activities.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, Office of Historic Preservation, Native American Heritage Commission)

Rationale: A qualified professional archaeologist and Native American observer will be present at the time of preliminary construction and ground-clearing activities within the area of the possible Native American burials to monitor for human skeletal remains. The archaeologist and Native American observer will also be present during vegetation clearing, ground preparation for the bridge approaches, and excavation for bridge abutments. The archaeologist will have the authority to halt any aspect of construction to avoid disturbing potential prehistoric resources, including human skeletal remains. If prehistoric resources are found, they will be evaluated for their significance and appropriately treated before construction resumes.

If any human skeletal remains are noted, construction will halt in the area until these remains can be identified. If Native American skeletal remains are identified, the procedures established by the Native American Heritage Commission will be followed.

Implementation of the identified mitigation measures will ensure that the potential impact to undiscovered archaeological sites is less than significant.

The City of Redding Public Works Director and Planning Director will monitor implementation of the identified mitigation measures by the Project Engineer with the City of Redding and the Project Construction Contractor (under contract with the City of Redding) during project construction until completion.

Impact: Potential Disturbance to Native American Burials

Mitigation: Avoid Disturbance of any archaeological site discovered during construction activities. (Previously described under “Impact: Potential Disturbance of Undiscovered Archaeologic Sites”, above.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, Office of Historic Preservation, Native American Heritage Commission)

Rationale: Previously discussed under “Impact: Potential Disturbance of Undiscovered Archaeologic Sites”, above.

7. PARKS AND RECREATION

Impact: Disruption of Bicycle and Pedestrian Activities on the Sacramento River Trail during Construction

Mitigation: Ensure that the Sacramento River Trail remains open during construction.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: The City of Redding will ensure that the Sacramento River Trail remains open during construction by creating safe detours. Adequate notice of unavailable trail closures will be given, and closures will be restricted to off-peak use periods, such as week-day mornings.

Implementation of the identified mitigation measure will ensure that the impact of Disruption of the Bicycle and Pedestrian Activities on the Sacramento River Trail will be less than significant.

The City of Redding Parks and Recreation Director will monitor implementation of the identified mitigation measure by the Project Engineer in conjunction with the Project Construction Contractor during project construction.

Impact: Increased Risk of Boating and Swimming Accidents in, Lake Redding during Construction.

Mitigation: Place waterway markers warning boaters and swimmers of the potential hazards associated with bridge construction in the area.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: Signs or buoys will be placed in accordance with the requirements specified in Title 14, Article 6 of the California Code of Regulations to warn boaters and swimmers of the hazards caused by bridge construction across the river.

Implementation of the identified mitigation measure will ensure that the increased risk of boating and swimming accidents in Lake Redding are less than significant.

The City of Redding Public Works Director will monitor implementation of the identified mitigation measure by the Project Engineer and Project Construction Contractor during project construction.

Impact: Potential Disruption of Use of Sacramento River Trail during construction.

Mitigation: Ensure that Trails remain open during construction.

Provide safe, permanent trail passage under bridge after construction phase.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding)

Rationale: The City of Redding will create safe detours of the recreation trail to allow the trail to remain open during construction of the project to the extent possible. Adequate notice of unavoidable trail closures will be made, and closures will be restricted to nonpeak use periods, such as weekday mornings.

The City of Redding will include accommodations for recreational trail passage under the bridge on both sides of the Sacramento River in the final design of the project.

Implementation of the identified mitigation measure will ensure that impacts to the uses of the Sacramento River Trail are less than significant.

The City of Redding Parks and Recreation Director will monitor implementation of the identified mitigation measures by the Project Engineer and the Project Construction Contractor during project construction.

Impact: Implementation of the project would result in the loss of approximately 1.8 acres on the south bank of the Sacramento River on each side of the Diestelhorst Bridge. Most of this land would be southeast of the Diestelhorst

Bridge, including a vegetated area and concrete slab, and a 0.25 acre portion of the community garden.

Mitigation: Minimize Losses of Riparian Vegetation; and Fully Compensate for losses of riparian vegetation (Both mitigation previously described under “Impact: Loss of .80 Acres of Mixed Riparian Forest Habitat”, above).

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially effect as identified in the final EIR.

Changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency. (City of Redding, California Department of Fish and Game, U.S. Fish and Wildlife Service)

Rationale: Previously described under “Impact: Loss of .80 Acres of Mixed Riparian Forest Habitat”, above. Implementation of the identified mitigation measure will ensure that impacts resulting from loss of 1.8 acres on the south bank of the Sacramento River in the project vicinity are less than significant.

EXHIBIT D

RESOLUTION NO. 96-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDDING ADOPTING THE DIESTELHORST BRIDGE REPLACEMENT MITIGATION MONITORING PROGRAM AND COMPLIANCE CHECKLIST

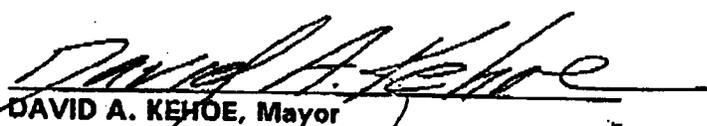
WHEREAS, the City of Redding adopted the Environmental Assessment and Environmental Impact Report No. EIR-2-91 (State Clearinghouse No. 88021601) for the Diestelhorst Bridge Replacement Project;

NOW, THEREFORE, BE IT RESOLVED by the City Council that it has previously reviewed the final environmental impact report for this project and the mitigations therein.

BE IT FURTHER RESOLVED that pursuant to California Public Resources Code Section 21081.6, the City Council hereby adopts the Diestelhorst Bridge Replacement Mitigation Monitoring Program and Compliance Checklist, labeled Exhibit "A," which mitigates or avoids significant effects on the environment, a copy of which is attached hereto and incorporated herein by reference.

I HEREBY CERTIFY that the foregoing Resolution was introduced and read at a regular meeting of the City Council of the City of Redding on the 6th day of February 1996, and was adopted at said meeting by the following vote:

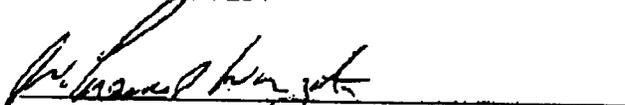
AYES:	COUNCIL MEMBERS:	R. Anderson, McGeorge, Murray and Kehoe
NOES:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	P. Anderson
ABSTAIN:	COUNCIL MEMBERS:	None


 DAVID A. KEHOE, Mayor
 City of Redding

ATTEST:


 CONNIE STROHMAYER, City Clerk

FORM APPROVED:


 W. LEONARD WINGATE, City Attorney

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K-96-28

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