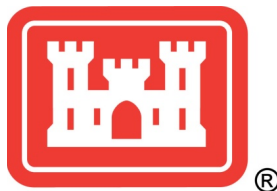


DRAFT
SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT
MARTIS VALLEY TRAIL RIGHT-OF-WAY
PLACER COUNTY, CALIFORNIA



November 2020



US Army Corps of Engineers
Sacramento District

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NOVEMBER 2020

TABLE OF CONTENTS

1.0	PURPOSE AND NEED FOR THE ACTION	1
1.1	Introduction.....	1
1.1.1	Project Background	1
1.2	Purpose and Need for the Proposed Action	4
1.3	Purpose and Need for Supplemental Environmental Document	4
1.4	SEA Organization and Previous Environmental Documentation.....	4
1.5	Decisions to Be Made	5
1.6	Laws, Regulations, and Policies	5
1.6.1	Federal Requirements	5
2.0	PROPOSED ACTION AND ALTERNATIVES	10
2.1	SEA Project Alternatives	10
2.1.1	Combined Paved Trail Alternative	10
2.1.2	Unpaved Trail Alternative	11
2.1.3	Paved Trail within the Caltrans Easement Alternative.....	11
2.1.4	No Action Alternative	11
2.1.4	Proposed Action	12
2.2	Proposed Action Project Description.....	12
3.0	ENVIRONMENTAL EFFECTS AND AFFECTED RESOURCES	18
3.1	Resources Not Considered in Detail	18
3.1.1	Hydrology and Water Quality	18
3.1.2	Visual Resources	19
3.1.3	Vegetation and Wildlife.....	20
3.2	Resources Considered in Detail	20
3.2.1	Special Status Species	20
3.2.2	Cultural Resources.....	23
4.0	COORDINATION AND REVIEW OF SEA	28
5.0	LIST OF PREPARERS	28
6.0	REFERENCES	30
	APPENDICES	32
	APPENDIX A.....	33

SPECIAL STATUS SPECIES LISTS	33
APPENDIX B	44
“NO PERMIT REQUIRED” REGULATORY LETTER	44
APPENDIX C	49
PUBLIC INVOLVEMENT	49

FIGURES

Figure 1. EIR MVT Phasing Map.....	2
Figure 2. Proposed Alignments in Segments 1B-2 and 3A from 2017 EA.	3
Figure 3. Proposed Realignment of Segment 1B-2 Above Gross Pool.	13
Figure 4. Proposed Design Refinements of Capped Section in Segment 3A.	14
Figure 5. Proposed Trail Realignment in Segment 3A Outside of Surface Waters.....	15
Figure 6. Proposed Creek Crossing Using the Existing Caltrans Culvert Structure.....	16
Figure 7. Proposed Parking Lot Relocation.....	17
Figure 8. Restoration of Existing Parking Lot.....	18

TABLES

Table 1. Special Status Species Mitigation Measures.	22
Table 2. Cultural Resources Mitigation Measurers.....	27

ACRONYMS & ABBREVIATIONS

BMPs	Best Management Practices
CAA	Clean Air Act
CDFW	California Department of Fish and Wildlife
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
CH	Critical Habitat
CNDDDB	California Natural Diversity Database
CVRWQCB	Central Valley Regional Water Quality Control Board
CWA	Clean Water Act
EA	Environmental Assessment
ECOS	Environmental Conservation Online System
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EO	Executive Order
ESA	Endangered Species Act
FONSI	Finding of No Significant Impact
FT	Federal Threatened

GHG	Greenhouse Gases
HTRW	Hazardous, Toxic and Radiological Wastes
IPaC	Information, Planning, and Consultation System
MBTA	Migratory Bird Treaty Act
MCLDP	Martis Creek Lake and Dam Project
MOA	Memorandum of Agreement
MVT	Martis Valley Trail
MSL	mean sea level
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NCSD	Northstar Community Services District
OHWM	Ordinary High Water Mark
PM2.5	Fine Particulate Matter
PM10	Particulate Matter (Less than 10 Microns in Diameter)
ROG	Reactive Organic Gases
ROW	Right-Of-Way
SEA	Supplemental Environmental Assessment
SEA/IS	Supplemental Environmental Assessment/Initial Study
SHPO	State Historic Preservation Officer
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	U.S. Army Corps of Engineers
U.S.C.	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service

1.0 PURPOSE AND NEED FOR THE ACTION

1.1 Introduction

Pursuant to the National Environmental Policy Act of 1969 (NEPA), as amended, this Supplemental Environmental Assessment (SEA) has been prepared to update, discuss, and disclose potential effects, beneficial or adverse, that may result from the proposed design refinements to trail construction and alignment for the Martis Valley Trail (MVT) Right-of-Way (ROW) Project (Project). In December 2017, the U.S. Army Corps of Engineers (USACE) published its Final Environmental Assessment and described the reasonably foreseeable impacts expected to occur as a result of the Project.

1.1.1 Project Background

Acting as an agent for Placer County, NCS D has requested a temporary construction easement from USACE. The temporary easement would encompass an approximately 50-foot-wide corridor to facilitate construction of the MVT within the Martis Creek Lake and Dam Project (MCLDP). Additionally, once construction is complete, a permanent real estate easement would be granted to Placer County encompassing a varying 15 to 28 foot-wide corridor along the trail centerline to facilitate long-term maintenance. The MVT would be owned by Placer County and NCS D would be responsible for operation and maintenance of the trail. Temporary and permanent easements would be granted by USACE under Title 10 United States Code (U.S.C.) § 2668, Easements for Rights-of-Way.

The Project is part of the larger Regional MVT Project proposed by Placer County and encompasses the trail area that falls within the MCLDP. NCS D proposed construction of the Regional MVT Project which includes a multi-use trail extending approximately 9.5-mile through Martis Valley, providing a key connection in a regional trail system for the communities of Truckee, Northstar, Kings Beach, and Tahoe City. The MVT would complement other local efforts to construct trails, including planned trail segments along the Truckee River between Squaw Valley and Truckee, and between Tahoe City and Kings Beach. In addition, the Town of Truckee is in the process of implementing their Trails Master Plan, one element of which would connect their downtown core to the Placer County line near the Truckee-Tahoe Airport.

The Regional MVT Project extends from the southern limits of Truckee southeastward through Martis Valley, reaching the Village at Northstar and continuing south to Brockway Summit, and finally terminating at its junction with Forest Route 73. Elevations along the proposed trail range between approximately 5,880 and 7,280 feet above mean sea level (MSL). State Route (SR) 267 provides the primary vehicular access through the project area. The potential trail alignments travel through five distinct habitat types and cross several drainages within the Martis Creek watershed, including the main stem of Martis Creek.

In 2012, an Environmental Impact Report (EIR) was completed for the Regional MVT Project. The EIR evaluated two potential trail alignments and identified the “Highway Alignment” as the environmentally superior alternative. This alignment includes Segments 1, 3A, 3B, 3E, 3F and 4 (Figure 1). NCS D proceeded with implementation of the Regional MVT Project under the Highway Alignment evaluated in the EIR and the majority of Segment 1 was constructed in 2015. A portion of the MVT (approximately 1.5 miles), falls on lands managed by USACE within the MCLDP. Proposed construction of the MVT within the MCLDP was separated into two segments, Segment 1B-2 and Segment 3A (Project Area; Figure 2). The 2017

Environmental Assessment (EA) (USACE 2017), refers to the Highway Alignment described in the EIR as the “Paved Trail within the MCLDP Alternative”.

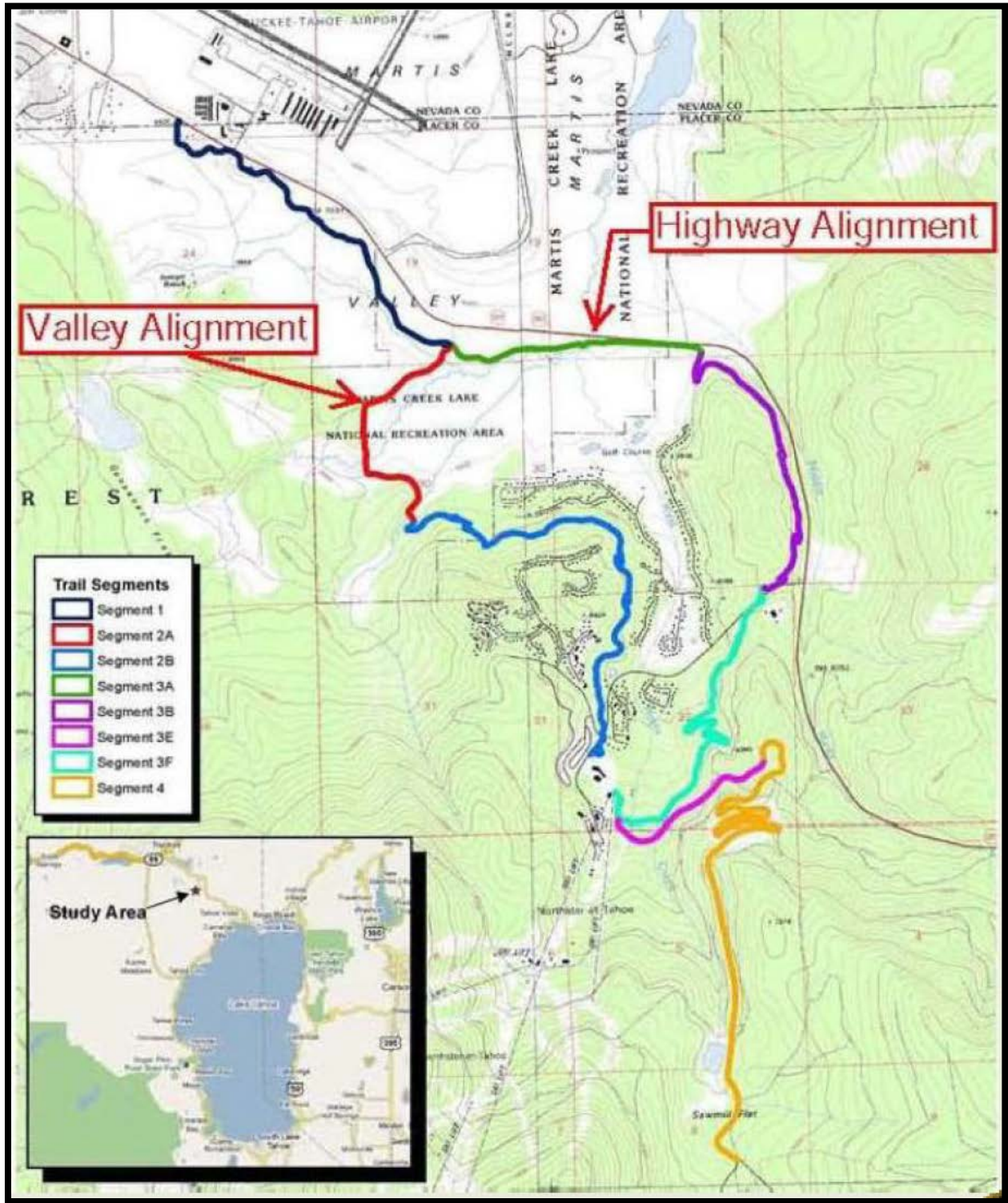


Figure 1. EIR MVT Phasing Map.

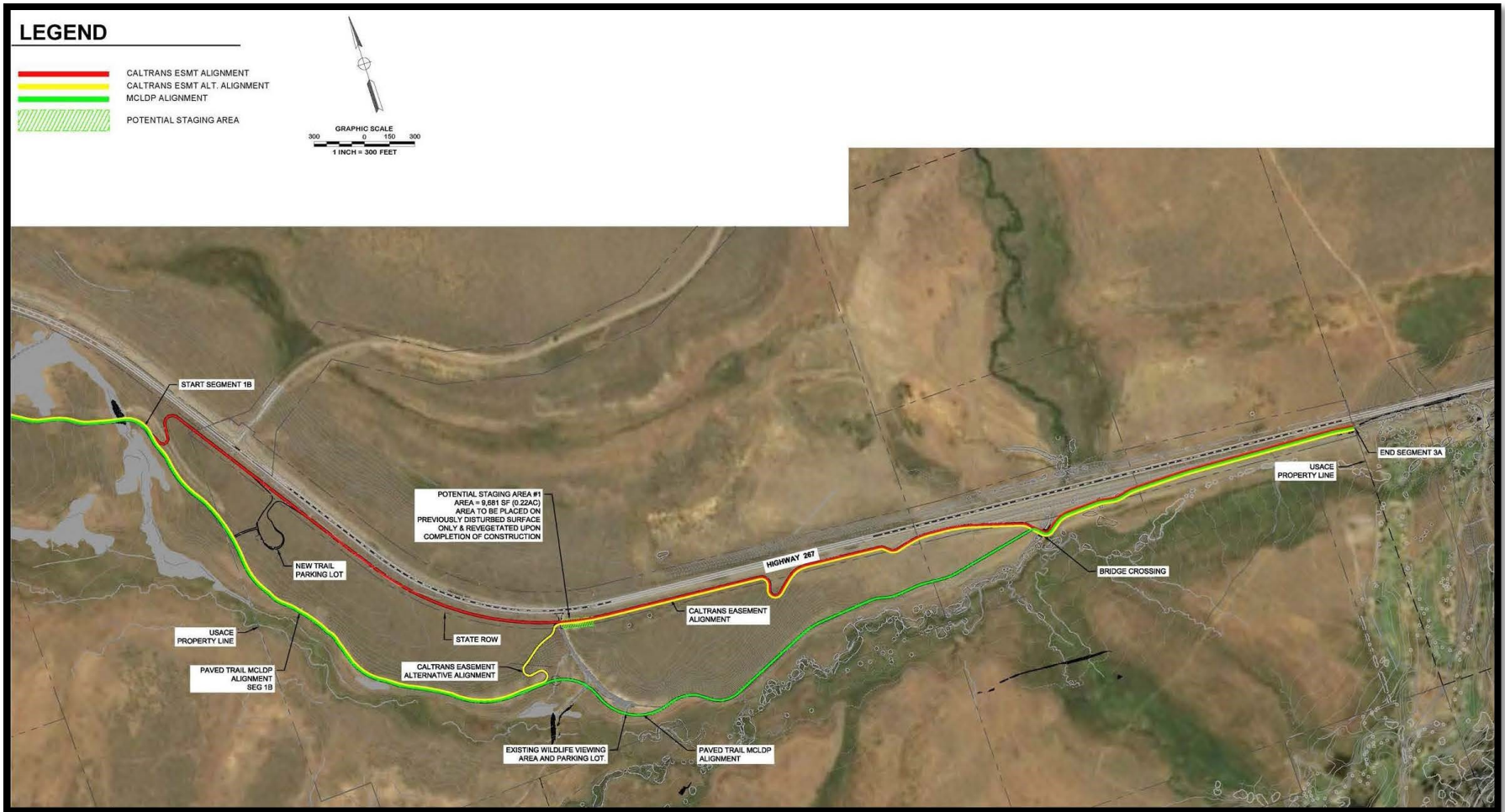


Figure 2. Proposed Alignments in Segments 1B-2 and 3A from 2017 EA.

1.2 Purpose and Need for the Proposed Action

This section summarizes the Purpose and Need as described in the 2017 EA (USACE 2017). Placer County has identified the need “to promote safe, convenient, and enjoyable cycling by establishing a comprehensive system of regional bikeways that links the communities of Placer County”. As a result, Placer County proposed construction of the Regional MVT Project which, when constructed, would become part of a regional multiple-use trail system connecting the communities within the Truckee - Lake Tahoe area. Implementation of recent proposed design refinements to trail construction and alignment for the Project is integral to the implementation and completion of the Regional MVT Project.

1.3 Purpose and Need for Supplemental Environmental Document

This SEA is being prepared to assess the reasonably foreseeable environmental effects associated with the proposed design refinements to trail construction and alignment. In general, the trail would be realigned to avoid previously identified wetland areas and eliminate in-water work through utilization of an existing SR-267 (Caltrans) culvert. Based on the effects analysis in the 2017 EA (USACE 2017), the Paved Trail within the Caltrans Easement Alternative was supported by the original FONSI as the alignment alternative with the least environmental impacts. However, NCS D has since proposed specific design refinements and mitigation measures associated with the Paved Trail within the MCLDP alignment, to minimize adverse impacts to cultural resources previously identified in the 2017 EA (USACE 2017). Furthermore, subsequent to the 2017 EA (USACE 2017), NCS D completed extensive modeling efforts to support the conclusion that the Paved Trail within the MCLDP alignment would have negligible impacts to the primary Flood Risk Management (FRM) mission of the MCLDP.

This SEA describes NCS D’s proposed design refinements and discusses new and detailed information regarding the cultural significance of Martis Valley in association with the Project’s setting, to evaluate changes in effects (if any), to the Proposed Action outlined in the 2017 EA (USACE 2017).

The Council on Environmental Quality regulations specify that supplements are required if: (i) An agency makes substantial changes in the proposed action that are relevant to environmental concerns; or (ii) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. This SEA was prepared under the 1978 Council on Environmental Quality (CEQ) regulations, which apply to environmental processes that were initiated prior to September 14, 2020. This SEA is in compliance with NEPA (42 U.S.C. § 4321 *et seq.*) and provides full disclosure of the effects of the Proposed Action.

1.4 SEA Organization and Previous Environmental Documentation

This SEA supplements existing analyses and updates potential environmental effects resulting from the proposed Project design refinements. USACE identified and reviewed new information to determine if any resources and effects previously analyzed should be re-evaluated or if the new information could alter previous determinations of effects.

Previous NEPA documentation (USACE 2017), described the Affected Environment in detail and evaluated the potential effects on resources of concern. The conclusions of the existing effects analyses for most resources, except those resources discussed in more detail herein, have been determined to be valid since the scope has remained the same, and because the relevant Federal laws

have not changed in a manner that would require re-evaluation of these resources. Those environmental effects are summarized in Section 4 of the 2017 EA (USACE 2017).

1.5 Decisions to Be Made

This SEA supplements the previous analyses or information presented in existing NEPA documentation (USACE 2017), and presents updated information regarding Hydrology and Water Quality, Visual Resources, Vegetation and Wildlife, Special Status Species, and Cultural Resources. Resources not considered herein would remain consistent with the 2017 EA. The District Engineer, commander of the Sacramento District, must decide whether or not the Proposed Action qualifies for a mitigated Finding of No Significant Impact (FONSI) under NEPA or whether an Environmental Impact Statement (EIS) must be prepared.

1.6 Laws, Regulations, and Policies

1.6.1 Federal Requirements

Bald and Golden Eagle Protection Act of 1940, as amended, 16 U.S.C. § 668-668c, et seq. Full Compliance. This Act prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." Preconstruction surveys would be conducted by a qualified USFWS-approved biologist to identify nesting eagles—to avoid disturbing nesting eagles and their young, a minimum buffer of 660 feet from Project activities and any identified nests (including active and alternate nests), would be established in coordination with USFWS. If construction activities would need to occur within the established buffer, these activities would be restricted to outside the nesting season (i.e., August through January).

Clean Air Act of 1972, as amended, 42 U.S.C. § 7401, et seq. Full Compliance. Project emissions are expected to remain below the thresholds of significance set by the Placer County Air Pollution Control District (APCD) for NO_x, ROG, and PM₁₀ emissions of 82 pounds per day. Standard best management practices (BMPs) to minimize construction emissions, including dust and particulate matter would be implemented during Project construction. Additionally, compliance with the APCD's dust control measures specified in Rule 228 Section 400 would ensure construction emissions and dust would have no adverse effect on air quality in the region. Operation of the trail would not result in substantial air pollutant emissions or generation of odors. With application of the BMPs discussed above, construction of the Proposed Action would not impair implementation of applicable air quality plans for the region, nor would it violate any federal or state ambient air quality standard. Lastly, operation of MVT would not generate substantial new greenhouse gas emissions. The project is not expected to conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions or result in adverse effects associated with climatic conditions.

Endangered Species Act of 1973, as amended, 16 U.S.C. § 1531, et seq. Full Compliance. This Act requires federal agencies, in consultation with the USFWS and/or NMFS, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated

critical habitat.

In 2017, USACE informally consulted with USFWS for the federally-threatened Lahontan cutthroat trout (*Oncorhynchus clarkia henshawi*, LCT) and the federally-endangered Sierra Nevada yellow-legged frog (*Rana sierra*, SNYLF). On July 27, 2017, USACE received a letter of concurrence from USFWS and all proposed mitigation measures were incorporated into the 2017 EA to reduce potential adverse effects to special status species or their habitat. There is no designated critical habitat (CH) for these species within the Project Area. For this SEA, re-consultation has been determined unnecessary, since construction of the proposed improvements to the MVT would not result in additional effects to special status species.

An updated list of threatened and endangered species that may be affected by the Project was obtained from the USFWS Environmental Conservation Online System's (ECOS) Information for Planning and Consultation (IPaC) website and the California Natural Diversity Data Base (CNDDDB) website on September 23, 2020 (Appendix A). The updated species lists have changed from what was previously analyzed in the 2017 EA, to include the proposed listing of the Sierra Nevada Distinct Population Segment (DPS) of the Sierra Nevada red fox (*Vulpes vulpes necator*, SNRF) as an endangered species under the ESA. If the rule is finalized as proposed, it would extend ESA protection to this DPS and USACE would reinitiate Section 7 consultation with USFWS. Mitigation measures from Section 4.4 of the 2017 EA and those listed in Section 3.2.2.4 would be implemented, as applicable, to avoid adverse effects to listed species, species proposed for listing, or their habitat.

Clean Water Act of 1972, as amended, 33 U.S.C. § 1251, et seq. Full Compliance. The CWA is the primary Federal law governing water pollution. It established the basic structure for regulating discharges of pollutants into waters of the U.S. and gives U.S. Environmental Protection Agency authority to implement pollution control programs. In some states, including California, USEPA has delegated authority to regulate the CWA to State agencies. The Proposed Action is not expected to have impacts on water quality, however, should in-water work become necessary as described in the 2017 EA (USACE 2017), NCSD would coordinate with USACE Regulatory and/or appropriate State agency prior to initiating construction work activities, to ensure compliance with applicable sections of the CWA.

Section 303. Section 303 of the CWA requires states to adopt water quality standards that "consist of the designated uses of the navigable waters involved and the water quality criteria for such waters based upon such uses." See Section 1.6.2 State of California Requirements, California Water Code.

Section 401. Section 401 of the CWA regulates the water quality for any activity that may result in discharge into navigable waters; these actions must not violate Federal water quality standards. In California, the State Water Resources Control Board (SWRCB) and Central Valley RWQCB administer Section 401 and either issue or deny water quality certifications that typically include project-specific requirements established by the RWQCB. Construction of the Project would avoid in-water work by incorporating use of the existing Caltrans culvert structure. Therefore, the proposed design refinements would avoid permanent effects to surface waters. Potential adverse effects to identified wetlands would be avoided by placement of a work exclusion buffer around delineated aquatic resources. No construction, construction-related work, or operation and maintenance activities for the MVT would occur within the work exclusion buffer or below the Martis Creek OHWM. NCSD would implement construction BMPs on-site (in combination with a SWPPP), prior to the initiation of construction activities to prevent degradation to on-site and off-site

waters of the U.S. There would be no affect to water quality, therefore, a 401 Water Quality Certification is not required.

Section 402. National Pollutant Discharge Elimination System (NPDES) permit. In California this Federal program has been delegated to the State of California for implementation through the SWRCB and the RWQCBs. The NPDES Permit Program regulates point sources that discharge pollutants into waters of the United States. Construction that involves clearing, grading, and excavating activities that disturb one acre or more, including smaller sites in a larger common plan of development or sale must obtain coverage under a General NPDES permit (Construction General Permit) for their stormwater discharges. A project-specific Stormwater Pollution Prevention Plan (SWPPP) is required for NPDES permit coverage for stormwater discharges. Since the Project would disturb more than one acre of land and involve possible storm water discharge to surface waters, NCS D would be required to obtain a NPDES permit from the CVRWQCB. As part of the permit, NCS D would be required to prepare a Storm Water Pollution Prevention Plan (SWPPP) identifying best management practices to be used in order to avoid or minimize adverse effects on surface waters.

Section 404. Section 404 of the CWA regulates discharge of fill material into waters of the United States. When USACE is the action agency it complies with the substantive requirements of the CWA but does not permit itself. USACE Regulatory determined there would be “no permit required” for the Project (Appendix B), therefore, NCS D would not be required to obtain a CWA 404 permit.

Fish and Wildlife Coordination Act of 1958, as amended, 16 U.S.C. § 661, et seq. Full Compliance. This Act requires that federal agencies consult with the U.S. Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS) and State wildlife agencies for activities that affect, control or modify waters of any stream or bodies of water, in order to minimize the adverse impacts of such actions on fish and wildlife resources and habitat. No modification to surface waters would occur as a result of the Proposed Action, therefore, consultation with USFWS is not required.

Executive Order 11988, Floodplains Management. Full Compliance. This order directs all Federal agencies approving or implementing a project to consider the effects that project may have on floodplains and flood risks. USACE has reviewed and analyzed the updated trail alignments as part of the proposed design refinements. Although Segment 1B-2 would be realigned outside of the floodplain, the proposed alignment for Segment 3A would fall either partially or almost entirely within the 100-year floodplain. Furthermore, major investments have already occurred as part of the Regional MVT Project that would make it difficult to relocate the planned trail development. As a result, there are no practicable alternatives to development.

Project construction will not induce development in the floodplain because it is located on USACE fee-owned land in the Wel Mel Ti Wildlife Area of the MCLDP. This area is designated as an environmentally sensitive area and is preserved and protected for its natural resource values, scenic values, historic values, fish and wildlife habitat, and/or other special qualities. Preservation, restoration, and interpretation are the primary operation management goals in this area.

Additionally, USACE has concluded that impacts to the floodplain are negligible because the Project would not change watershed size or location, nor would it affect private property or substantially change water surface elevations and floodplains, and existing stormwater infiltration and sheet flow conditions would be maintained. Therefore, the proposed Project does not pose any

adverse hydraulic impact. The Draft SEA would be circulated for a 30-day review period as described in Section 4.0, providing an opportunity for public input and comment from individuals in the affected area. Interested parties and resource agencies have been coordinated with during the course of Project development.

Executive Order 11990, Protection of Wetlands. Full Compliance. This order directs USACE to provide leadership and take action to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands in implementing civil works. USACE prepared a Draft Preliminary Wetland Delineation Report (September 2013) for the Project Area. A Wetland Delineation was prepared by North Fork Associates in 2009 in support of the CEQA review for the Regional MVT Project. Revisions to the Wetland Delineation were prepared in 2011 based on consultation with USACE. These reports are provided in Appendix A of the 2017 EA. All construction activities associated with the Proposed Action would avoid wetlands, and BMPs and a SWPPP would be in place to avoid and minimize potentially adverse effects on wetlands.

Invasive Species and Executive Order 13751, Safeguarding the Nation from the Impacts of Invasive Species. Full Compliance. Best management practices (BMPs) would be implemented during construction and operations phases to reduce the risk of introducing invasive species to the Project Area or transporting such species from the Project Area. California Invasive Plant Council (<https://www.cal-ipc.org>) identifies BMP suitable for the Project Area. The California Sudden Oak Mortality Task Force (<http://www.suddenoakdeath.org>) current information on Sudden Oak Death (SOD) and BMP relevant to construction phase project work, including oak tree removal and transport protocols and planting and maintenance guidelines. California Department of Fish and Wildlife's Invasive Species Program (<https://www.wildlife.ca.gov/conservation/invasives>) provides information on invasive wildlife and has produced the California Aquatic Invasive Species Management Plan. These state resources and the National Invasive Species Council (<https://www.doi.gov/invasivespecies>) would be consulted for the most current BMP for construction- and operations-phase work. Applicable cost-efficient BMP would be incorporated into work activity requirements.

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980, as amended, 42 U.S.C. § 9601, et seq. Full Compliance. Construction and maintenance of the Project would include the use of hazardous materials such as paint, hydraulic fluids, fuels, oils, or other materials associated with the operation and maintenance of vehicles and equipment. Hazardous materials would be stored in accordance with state and federal regulations and standard best management practices as prescribed in the SWPPP prepared for the Project. Hazardous materials management during construction would include routine equipment inspections to ensure there are no fluid leaks; maintaining a spill kit on site; and designating specific locations for construction staging areas and equipment refueling, lubrication, and maintenance. This would ensure that the Project would not result in adverse effects associated with potential releases of hazardous materials during construction.

There are no recognized environmental conditions (i.e., presence of hazardous materials) or toxic materials known to occur along the proposed trail. A search of available State databases of hazardous materials sites also found that there are no listed sites within the proposed trail alignments (DTSC 2017; SWRCB 2017). Therefore, the Proposed Action would have no effect on any listed hazardous materials site and would not expose trail users to adverse health risks. The Project Area is

in proximity to the Truckee-Tahoe Airport, however, the proposed dispersed recreational uses are consistent with the Airport Land Use Compatibility Plan, and the Project would not result in adverse safety effects related to the airport.

Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act), 42 U.S.C. § 61 *et seq.* Full Compliance. It is anticipated that there would not be temporary or permanent displacements of persons, dwellings and/or businesses, as those terms are defined in the Uniform Act, as a result of the Proposed Action.

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Full Compliance. There are no residential communities adjacent to the proposed trail through the MCLDP. The trail would extend onto private land to the west of the MCLDP and onto the Northstar California Golf Course to the east of the MCLDP. No low-income, minority, or disadvantaged populations would be disproportionately exposed to adverse environmental consequences or conditions as a result of granting a ROW to allow construction, maintenance, and operation of these proposed trail within the MCLDP.

Farmland Protection Policy Act, 7 U.S.C. § 4201 *et seq.* Full Compliance. No agricultural activities or resources are present within the MCLDP. Granting a ROW to allow construction, maintenance, and operation of the MVT under any of the proposed paved trail alternatives would not affect any agricultural resources. There would be no permanent loss of prime or unique farmlands, or farmlands of statewide importance associated with this Project.

Magnuson-Stevens Fishery Conservation and Management Act 16 U.S.C. § 1801 *et seq.* Full Compliance. This legislation requires that all Federal agencies consult with National Marine Fisheries Service regarding all actions or proposed actions permitted, funded, or undertaken that may adversely affect essential fish habitat. Essential fish habitat is defined as “waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity.” No essential fish habitat has been designated within the Project Area, therefore, USACE has determined that the Proposed Action would have “no effect” on essential fish habitat.

Migratory Bird Treaty Act of 1936, as amended, 16 U.S.C. § 703 *et seq.* Full Compliance. A total of 24 migratory bird species were identified as potentially being affected by the Proposed Action. To ensure the Project would not adversely affect migratory birds, construction activities and any vegetation removal within 300 feet of potential migratory bird nesting habitat would be conducted outside the typical nesting season (September through April).

National Environmental Policy Act of 1969, as amended, 42 U.S.C. § 4321, *et seq.* Partial Compliance. This SEA is currently in partial compliance with this Act. After the draft SEA is circulated for public review and all comments received are considered and addressed, as appropriate, in the final SEA, USACE will decide to either sign a FONSI or prepare an EIS for the Proposed Action. Full compliance will be achieved when either a FONSI is signed or an EIS is prepared and a Record of Environmental Consideration is signed.

National Historic Preservation Act of 1966, as amended, 16 U.S.C. § 470, *et seq.* Full Compliance. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of a proposed undertaking on properties that have been determined to be eligible for listing in, or are listed in, the National Register of Historic Places. In a letter dated November 3, 2017, the State Historic Preservation Office concurred with the USACE’s findings on condition of the execution of a Memorandum of Agreement (MOA). USACE executed the MOA on

December 22, 2017 and an amendment to the MOA on March 13, 2019, to resolve adverse effects. Mitigation activities would be detailed in a forthcoming Historic Properties Treatment Plan and mitigation measures listed in Section 3.2.2.3 would be implemented through coordination between USACE and Placer County.

Noise Control Act of 1972, 42 U.S.C. § 4901 to 4918. *Full Compliance.* This Act establishes a national policy to promote an environment for all Americans free from noise that jeopardizes their health and welfare. Compliance with this Act is being addressed through compliance with the Placer County Noise Ordinance. Construction of the Proposed Action would result in a temporary increase in noise levels in the immediate vicinity of the active construction site, which could reduce the habitat value of the construction area temporarily. This temporary disturbance is not expected to impair wildlife survival in the area. There are no residences in proximity to the Project that could be exposed to noise levels that exceed the noise level limits specified in Article 9.36 of the Placer County Code. Additionally, the County Code restricts construction activities to daytime hours, Monday through Friday from 7:00 a.m. to 6:00 p.m., and Saturday from 8:00 a.m. to 6:00 p.m., with no construction permitted on Sundays (9.36.030 Exemptions). Construction activities that occur during these days/hours are exempt from the noise standards contained in the Placer County Code. Compliance with the County's noise standards would ensure the Project would not result in an adverse effect on noise conditions in the Project Area.

Wild and Scenic Rivers Act, 16 U.S.C. § 1271 et seq. *Full Compliance.* There are no components of the Federal Wild and Scenic River system in the Project Area.

Executive Order 13007, Indian Sacred Sites; Indian Trusts Act. *Compliance.* This executive order requires federal agencies to avoid adversely affecting Native American sacred sites located on federal land and to allow access to those sites for ceremonial use.

Executive Order 13175, Consultation with Tribal Governments. *Compliance.* This executive order applies primarily to the development of rules, policies, and guidance by federal agencies. Additionally, the executive order reaffirms the federal government's unique relationship with Native American tribes and their rights to self-govern. The order recognizes the 1994 Presidential Memorandum committing to consultation between the federal government and tribal governments that may be affected by a federal action and that the federal government must take into account effects of tribal trust resources.

2.0 PROPOSED ACTION AND ALTERNATIVES

2.1 SEA Project Alternatives

2.1.1 Combined Paved Trail Alternative

Construction of the Combined Paved Trail Alternative is described in detail in Section 2.5 of the 2017 EA. This alternative would likely result in greater impacts to cultural surface resources within Segment 3A, compared to the Paved Trail within the MCLDP Alternative. Under this alternative, Segment 1B-2 would be located within the CA-PLA-5 site and construction of this segment could result in impacts to surface and subsurface artifacts. Furthermore, the Combined Paved Trail Alternative was proposed and analyzed subsequent to consultation initiation with the State Historic Preservation Office (SHPO), therefore, the expanded Area of Potential Effects (APE) was never evaluated and concurrence was never received for this alignment.

This alignment would be placed between approximately 80 and 250 feet from the SR-267 centerline, making the trail surface and trail users much more visible to travelers. The Combined Paved Trail Alternative represents a visual impact for motorists as trail users would be in the foreground of views of the Martis Valley for approximately one mile. This is significant due to the highway's designation by Placer County as a Scenic Route. Additionally, construction activities for Segment 3A would be clearly visible from SR-267, which temporarily would adversely affect views of the valley from the highway. The Combined Paved Trail Alternative could potentially result in increased use of existing trails in the MCLDP. The increased trail usage could lead to increased trailbed widening due to individuals walking at the edges of the existing trailbed and result in minor degradation of the area's visual quality. The Project's proposed design refinements are not associated with this alternative, therefore, the proposed changes would not introduce impacts beyond those already captured in the 2017 EA (USACE 2017).

2.1.2 Unpaved Trail Alternative

Construction of the Unpaved Trail Alternative is described in detail in Section 2.6 of the 2017 EA. This proposed alternative would not implement Mitigation Measure 5A.3 discussed in Section 5 of the 2017 EA which includes closure of the Wildlife Viewing Area parking lot to the public. Closure and relocation of the parking lot was proposed to reduce degradation of natural and archaeological resources due to human disturbance in the area and improve public safety. Additionally, under the Unpaved Trail Alternative, the trail would not be constructed to meet Americans with Disabilities Act (ADA) accessibility requirements, and no improvements would be made to the existing native earth trail, relying on continued use of the Tompkins Memorial Trail (TMT) in Segment 3A, therefore, this alternative would not provide any new amenities or improve accessibility for new user groups. With an unpaved trail surface, use of the trail would contribute to soil erosion that could lead to sedimentation of waterways and impairment of the beneficial use of water. As water runoff occurs across the trail surface, it may cause ruts to form. The ruts may detain water during rainy periods, and in avoiding those ruts, trail users may walk along the trail edges, leading to a gradual widening of the trail surface and further increases in erosion. The ongoing maintenance requirements for the trail surface and BMPs associated with an unpaved trail may be higher than those for the paved trail alternative. The Project's proposed design refinements are not associated with this alternative, therefore, the proposed changes would not introduce impacts beyond those already captured in the 2017 EA (USACE 2017).

2.1.3 Paved Trail within the Caltrans Easement Alternative

Construction of the Paved Trail within the Caltrans Easement is described in detail in Section 2.4 of the 2017 EA (USACE 2017). The trail segments for this alternative would be located within the Caltrans easement for SR-267. This alternative allows for trail construction within the Caltrans easement while maintaining a minimum 80-foot setback from the existing SR-267 centerline. This would accommodate Caltrans' planned widening of SR-267 in the future. Construction of an interpretive exhibit along Segment 1B-2 would not be feasible under this alternative because it would create a visual obstruction for travelers on SR-267, which is designated by Placer County as a scenic roadway. The alignment for the Paved Trail within the Caltrans Easement Alternative has been revised to avoid buried utilities. However, the proposed realignment would not introduce impacts beyond those already captured in the 2017 EA (USACE 2017).

2.1.4 No Action Alternative

Under the No Action Alternative, construction of the Project would commence as described in the most recent environmental document (USACE 2017), as detailed under the “Paved Trail within the Caltrans Easement Alternative”.

2.1.4 Proposed Action

2.1.4.1 Paved Trail within the MCLDP Alternative

Sections 2.3 through 2.6 of the 2017 EA (USACE 2017), discussed the various proposed alignments for the MVT in detail. However, subsequent to finalization of the environmental document, updated designs were developed by NCS D to facilitate improvements to, and further minimize impacts associated with construction of the MVT under the Paved Trail within the MCLDP Alternative, hereinafter referred to as the “lower alignment”. Additionally, new information was provided detailing the cultural importance of Martis Valley and supplementary mitigation requirements were identified. A detailed description of the proposed design refinements is discussed in Section 2.2 below.

2.2 Proposed Action Project Description

NCS D has proposed realignment of Segment 1B-2 above gross pool to minimize impacts to the Flood Risk Management objective (Figure 3). Proposed design refinementst would also include a capped section in Segment 3A from the existing Wildlife Viewing Area parking lot extending east along the TMT (Figure 4). In contrast to the original cut-and-fill construction method proposed in 2017, the capped section would reduce the need to excavate by providing a level base for the paved trail and elevating the trailbed material above the ground surface. The capped design would be implemented to reduce impacts to known subsurface resources. The proposed capped extent of this alignment would be constructed within the 50-foot ROW as proposed in the 2017 EA, however, the trail would require a wider footprint (up to 28 feet) to install.

Under the lower alignment, the proposed design refinements would include realignment of the eastern-most end of Segment 3A, shifting the trail north to the extent feasible, to avoid wetland areas associated with the Martis Creek tributary (Figure 5). Furthermore, in order to eliminate in-water work associated with the construction of a wider crossing over the main stem of Martis Creek (as described on page 2-8 of 2017 EA), the proposed design refinements incorporates use of the existing Caltrans culvert structure (Figure 6).

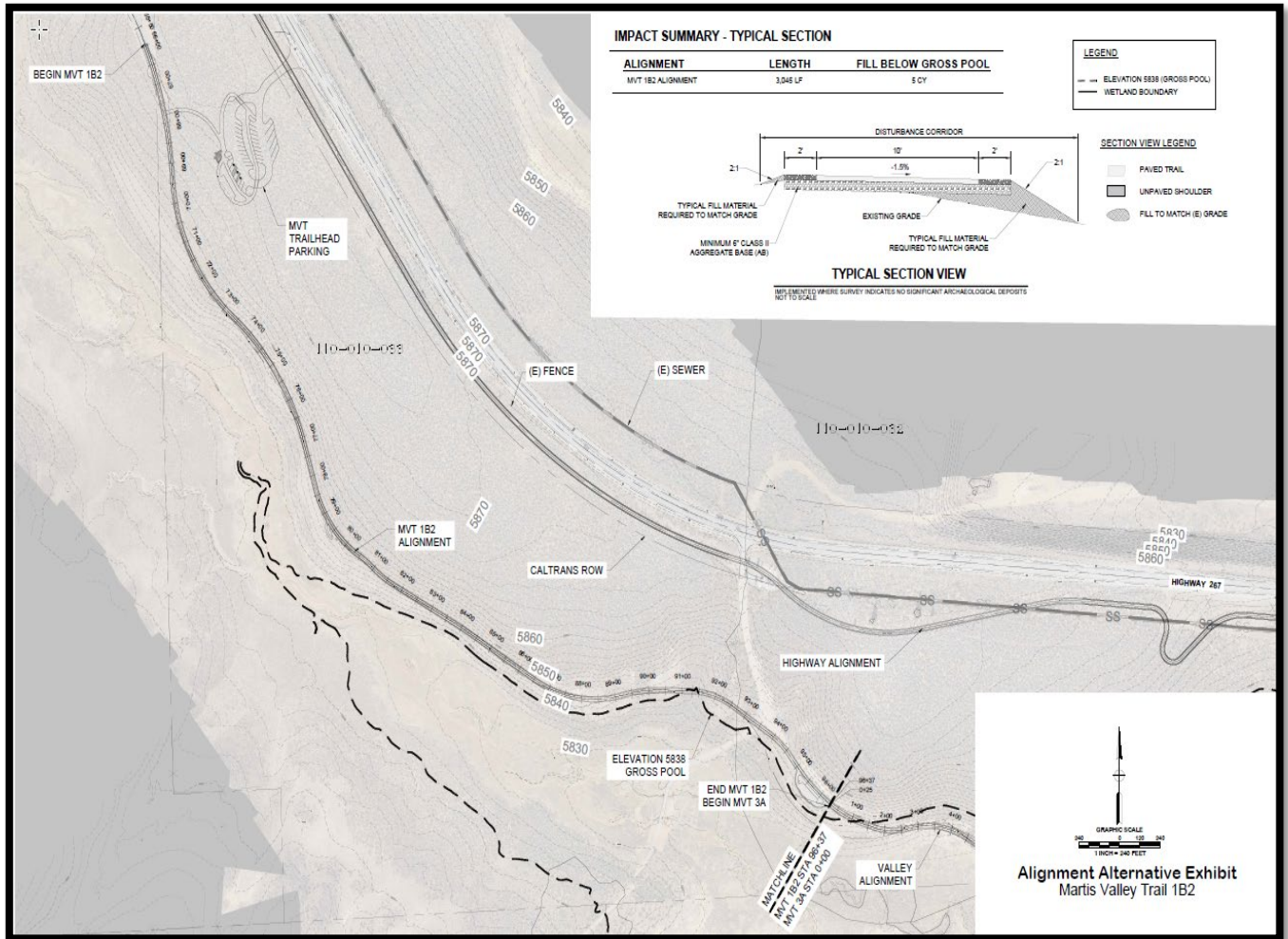


Figure 3. Proposed Realignment of Segment 1B-2 Above Gross Pool.

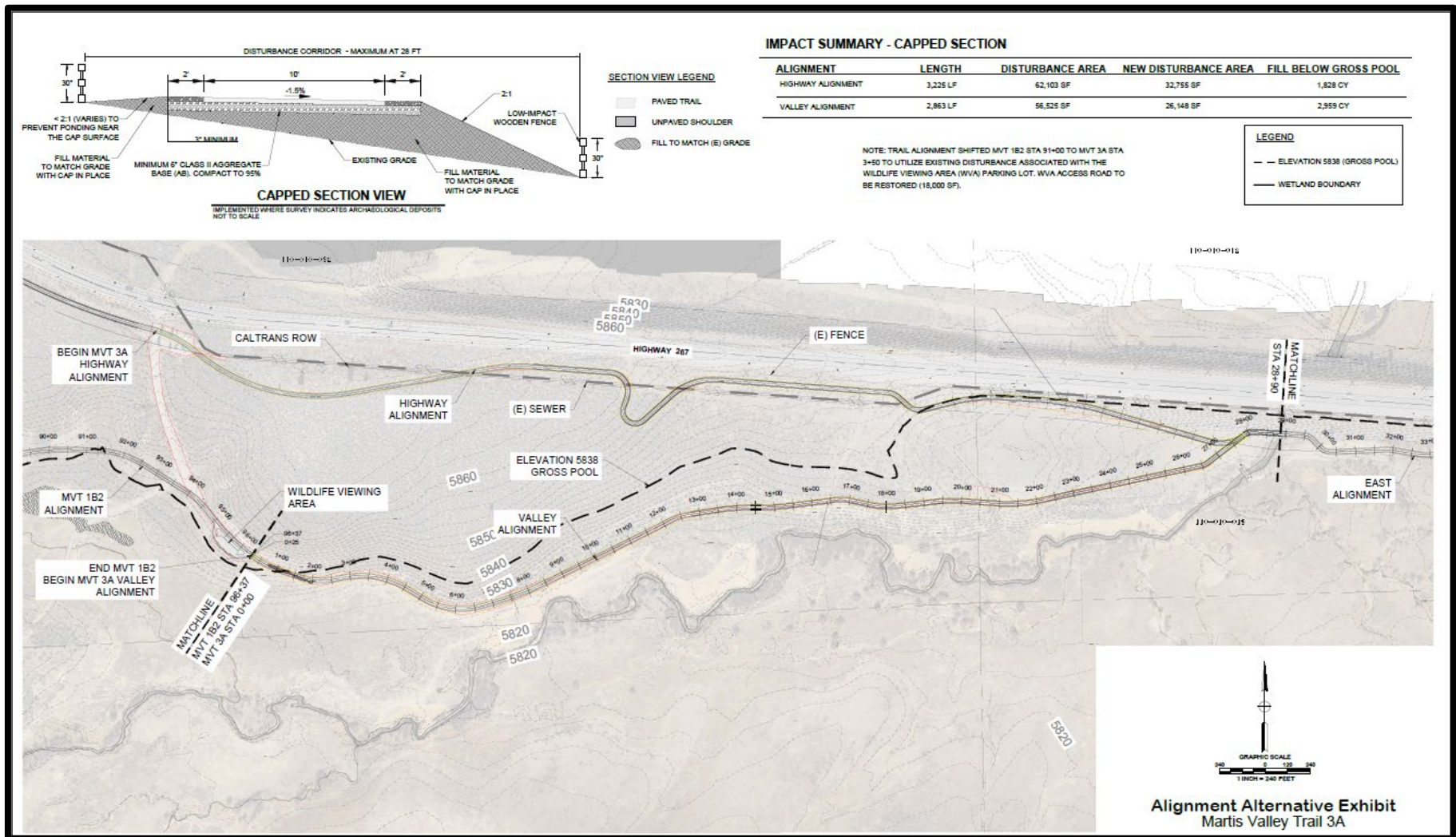


Figure 4. Proposed Design Refinements of Capped Section in Segment 3A.



Figure 5. Proposed Trail Realignment in Segment 3A Outside of Surface Waters.

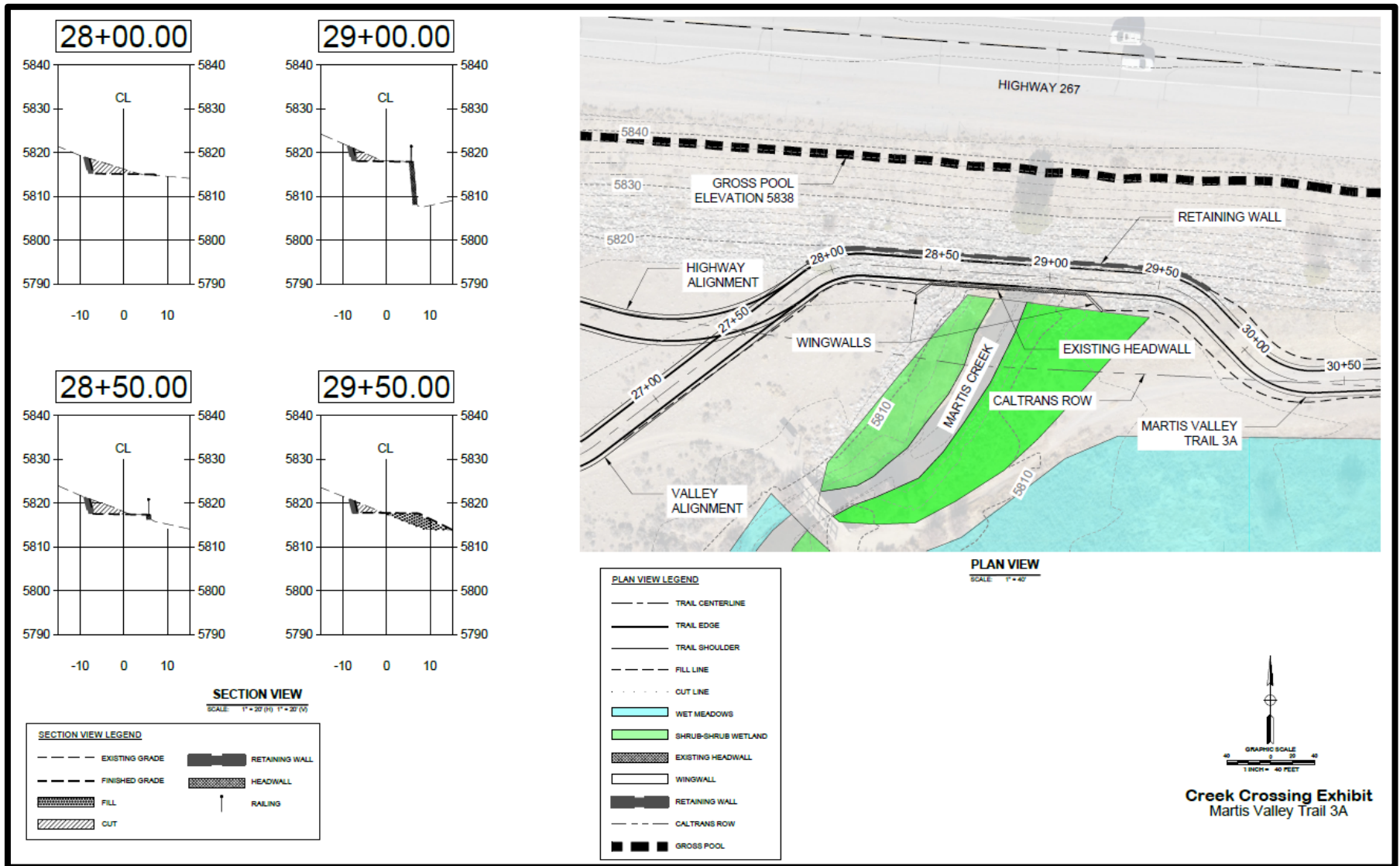


Figure 6. Proposed Creek Crossing Using the Existing Caltrans Culvert Structure.

The 2017 EA described two potential locations for construction of a new parking lot on the south side of SR-267, either directly across from Martis Dam Road or offset approximately 300 to 400 feet to the west. A short trail spur would be constructed to connect the parking lot with MVT Segment 1B-2. A driveway measuring approximately 150 feet long would be constructed to access SR-267. As part of the proposed design refinements, the new parking lot would include the proposed offset to the west (Figure 8).

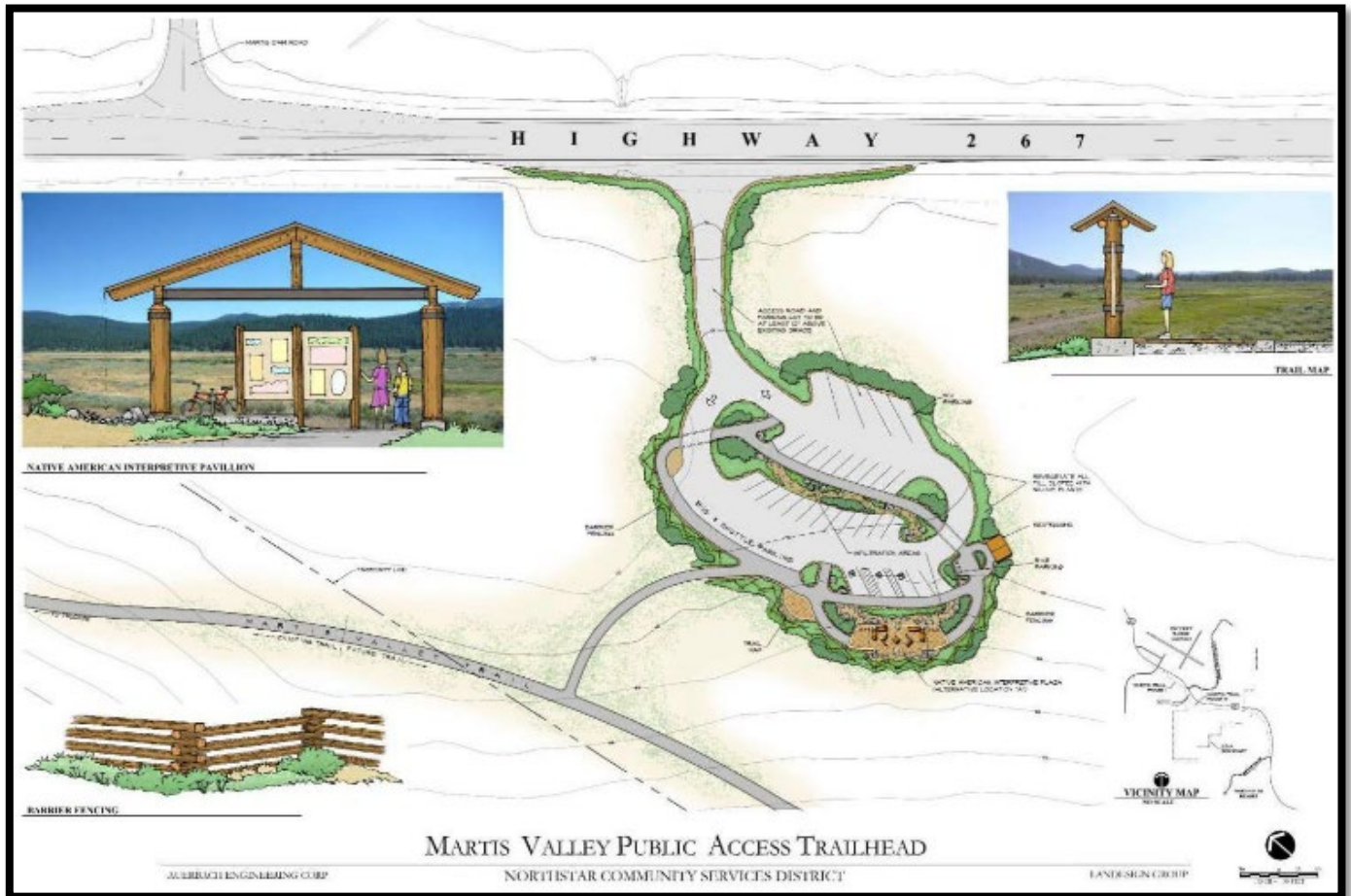


Figure 7. Proposed Parking Lot Relocation.

Numerous issues with the existing parking lot were previously identified, including safety concerns associated with access at the curve on SR-267 where there are limited shoulders and no turning lanes. Additionally, the existing parking lot has insufficient parking space, inadequate public education/interpretive information, and is non-ADA compliant. The existing parking lot is also located within a known archaeological site and continued use would expose the site to additional erosion. To address these concerns, the new parking lot would contain approximately 18 parking spaces, a five-foot walkway around the lot, stormwater runoff improvements including a vegetated swale and rain garden/detention basin, and an area adjacent to the parking lot containing an information kiosk and trail map would be constructed with a pervious surface (Figure 9). Grading, vegetation clearing, and construction activities would occur as described in Sections 2.3 and 2.4 of the 2017 EA.

The existing parking lot adjacent to SR-267 would be closed to the public and restored and re-vegetated with native drought tolerant vegetation under either alignment. An additional kiosk area is

proposed to be constructed in the previous Lower Wildlife Area parking lot (Figure 8) to provide vista for visitors of the Wel Mel Ti Wildlife Area (USACE MCLD Master Plan 2016).

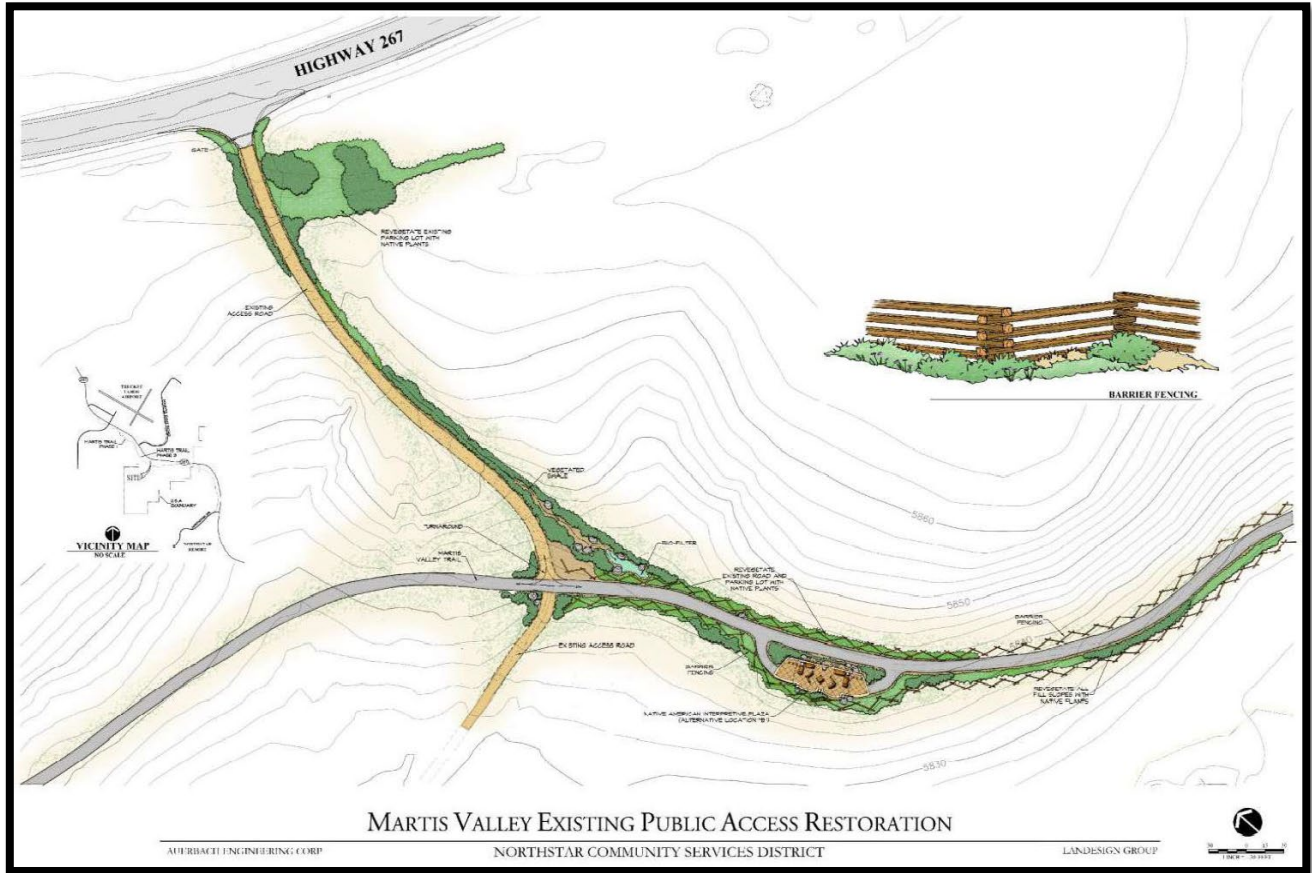


Figure 8. Restoration of Existing Parking Lot.

3.0 ENVIRONMENTAL EFFECTS AND AFFECTED RESOURCES

3.1 Resources Not Considered in Detail

The previous NEPA document (USACE 2017), has described the Affected Environment in detail and evaluated the potential effects on resources of concern. The conclusions of the existing effects analyses for most resources, except those resources discussed in detail below, are determined to be consistent with the previous NEPA document or would not be significantly impacted. A brief discussion of these resources is provided below.

3.1.1 Hydrology and Water Quality

Groundwater

The Project is located within the Martis Valley Groundwater Basin (MVGB) (6-067). The groundwater basin is collaboratively managed by the Truckee Donner Public Utility District, NCS, Placer County Water Agency, Placer County, Nevada County, and Town of Truckee. These six local public agencies serve as the Groundwater Sustainability Agencies (GSA) under the California Sustainable Groundwater Management Act of 2014 (SGMA). The six Local SGMA Agencies have collaboratively developed an Alternative Submittal and executed an MOA for this submittal, to provide on-going compliance and to formalize a process for the public to participate in SGMA

compliance. This basin is identified as a medium priority groundwater basin, however, groundwater levels have been stable for a period of at least 25 years as a result of careful management. The MVGB is one of the most studied and managed basins in the United States and the MVGB has had a net increase in storage over the period of 1990 to 2015 during which the region saw significant growth and several multi-year droughts. There would be no additional effects to groundwater as a result of the Proposed Action beyond those already disclosed in the 2017 EA, therefore, the design refinements would not result in an increase in use of groundwater nor affect any water rights.

Surface Waters

Martis Creek is the largest waterway within the Project vicinity. Martis Creek is classified as waters of the U.S. and is protected under the CWA. A Wetland Delineation was prepared by North Fork Associates in 2009 in support of the Regional MVT Project. This report was later revised in 2011 based on consultation with USACE. These reports are provided in Appendix A of the 2017 EA. Subsequent to these reports, USACE prepared a Draft Preliminary Wetland Delineation Report in September 2013, specifically for construction of the MVT within the MCLDP. Based on the 2017 EA, construction of the Segment 3A crossing of Martis Creek would result in permanent fill into surface waters of Martis Creek. The proposed design refinements to the upper and lower alignments, would include realignment of the eastern-most end of Segment 3A, shifting the trail north to the extent feasible, to avoid wetland areas associated with the Martis Creek tributary. Furthermore, to avoid in-water work associated with the construction of a wider crossing over Martis Creek, the proposed design refinements to the lower alignment incorporates use of the existing Caltrans culvert structure. Therefore, the proposed design refinements would avoid permanent effects to surface waters. During construction of the MVT, NCS D would be responsible for disassembling and removing the existing Martis Creek Bridge crossing (Frank's fish bridge) to discourage trail users from continuing to use the crossing. It is anticipated that the removal would be completed outside of surface waters and appropriate BMPs would be implemented to ensure the removal of the bridge would not result in discharge of fill into waters of the U.S.

During grading, excavation, or other ground-disturbing activities, sediment release to surface waters could occur, particularly during construction activities. However, potential adverse effects to identified wetlands would be avoided by placement of a work exclusion buffer around delineated aquatic resources. No construction, construction-related work, or operation and maintenance activities for the MVT would occur within the work exclusion buffer for identified wetlands or below the Martis Creek OHWM. NCS D would implement construction BMPs on-site (in combination with a SWPPP), prior to the initiation of construction activities to prevent degradation to on-site and off-site waters of the U.S. BMPs would include the use of appropriate measures to intercept and capture sediment prior to entering waters of the U.S., as well as erosion control measures along the perimeter of all work areas to prevent the displacement of fill material. Should in-water work become necessary as described in the 2017 EA (USACE 2017), NCS D would coordinate with USACE Regulatory and/or the appropriate State agency prior to initiating construction work activities, to ensure compliance with applicable sections of the CWA. All BMPs would be in place prior to initiation of any construction activities and would be maintained until construction activities have been completed and site soils are stabilized. Additionally, applicable mitigation measures and BMPs in Sections 4.4 and 6.4 of the 2017 EA would be implemented to ensure that construction and operation of the MVT as described under the Proposed Action, would not have significant adverse effects on wetlands and waters of the United States.

3.1.2 Visual Resources

Construction of the proposed capped section in Segment 3A would elevate the trailbed material above the ground surface a maximum of three feet. The elevation of SR-267 near the Segment 3A alignment is approximately 5,850 feet above MSL. Based on elevations provided in the 2017 EA, with implementation of the proposed capped section, the trail surface in Segment 3A would range from 3 to 23 feet lower than the SR-267 surface. SR-267 is designated by Placer County as a Scenic Route under Policy 4.C.1 of the Martis Valley Community Plan (Placer County 2003). Since Segment 3A would occupy an area in the valley dominated by existing constructed landscape features, including SR-267, the golf course, and the sewer lift station, and would be only intermittently visible from the highway, Segment 3A is considered appropriately sited to avoid substantial impacts to resources that contribute to the scenic values of SR-267.

The proposed design refinements to both the upper and lower alignments, would incorporate use of the existing Caltrans culvert structure. This proposed realignment of Segment 3A for both alternatives would result in trail users being much more visible to travelers on SR-267 (approximately 109 feet from the SR-267 centerline). However, the effect on visual resources for the alignment of Segment 3A when placed proximate to SR-267 (between 80 and 250 feet from the SR-267 centerline) was previously analyzed in the 2017 EA, therefore, the proposed realignment along the existing culvert would not result in any additional effects to visual resources beyond those already disclosed in the 2017 EA. All applicable mitigation measures from the 2017 EA would be implemented to avoid or minimize adverse effects to visual resources.

3.1.3 Vegetation and Wildlife

Construction of the design refinements in Segment 3A under the Lower Alignment, would require a wider trail footprint (up to 28 feet) to accommodate construction of the proposed capped section. Although the permanent trail footprint would be wider in some areas, the temporary construction easement would not change and would still encompass an approximately 50-foot-wide temporary corridor of disturbance. Biologists conducted resource surveys within this “study corridor” for the 2017 EA, to identify sensitive habitat areas.

The original alignments for the trail were developed based on the results of the field work and resource mapping. It was determined that effects would occur in an area of disturbance that ranged from 25 to 50 feet wide. Because the area of disturbance has not changed, the proposed design refinements to the capped section is not anticipated to have further impacts beyond those already captured in the 2017 EA. Additionally, the proposed realignment of Segment 1B-2 would utilize areas of existing disturbance along TMT potentially reducing Project impacts to sagebrush scrub in these areas.

Under both the upper and lower alignments, construction of a wider crossing over Martis Creek would not occur, therefore, this would reduce Project impacts to wet meadow habitat and/or riparian habitat than was anticipated in the 2017 EA. Construction of the new parking lot with the proposed offset to the west would result in removal of the same amount of sagebrush scrub habitat within the MCLDP as it would if it were directly across from Martis Dam Road. All applicable mitigation measures and BMPs from the 2017 EA would be implemented to avoid or minimize adverse effects to vegetation and wildlife.

3.2 Resources Considered in Detail

3.2.1 Special Status Species

3.2.1.1 Regulatory Setting

The Biological Resources Section of the 2017 EA (USACE 2017) sufficiently characterizes the regulatory setting for this resource.

3.2.1.2 Affected Environment

The Biological Resources Section of the 2017 EA (USACE 2017), sufficiently characterizes the affected environment for this resource. In 2017, USACE informally consulted with USFWS for the federally-threatened LCT and the federally-endangered SNYLF. On July 27, 2017, USACE received a letter of concurrence from USFWS and all proposed mitigation measures were incorporated into the 2017 EA to reduce potential adverse effects to special status species or their habitat. There is no designated critical habitat (CH) for these species within the Project Area. For this SEA re-consultation has been determined unnecessary, since construction of the proposed improvements to the MVT would not result in additional effects to the LCT and SNYLF.

Special status species lists were generated from the USFWS ECOS IPaC website and CNDDDB (USFWS September 23, 2020, CNDDDB September 23, 2020). The USFWS and CNDDDB lists are included in Appendix A. The updated species lists have changed from what was previously analyzed in the 2017 EA, to include the proposed listing of the Sierra Nevada DPS of the Sierra Nevada red fox (*Vulpes vulpes necator*) as an endangered species under the ESA. There is no proposed designated CH for this species under the proposed listing. If the rule is finalized as proposed, it would extend ESA protection to this DPS and USACE would reinitiate Section 7 consultation with USFWS.

Sierra Nevada red fox (Sierra Nevada DPS). This DPS of the Sierra Nevada red fox (SNRF) is proposed as federally-endangered. SNRFs living near Sonora Pass, California are the only population known to exist in the Sierra Nevada mountain range, and is the last known remnant of the larger historical population that occurred along the upper elevations from Tulare to Sierra Counties. The only other population of SNRF in California is located near Lassen Peak, in the southern Cascade mountain range, and shows clear genetic differences from the Sonora Pass population. The current range, which is significantly contracted from the historical range, runs near the Sierra crest from about Arnot Peak and California State Highway 4 south to Yosemite National Park (Cleve et al. 2011; Sacks et al.; Eyes 2016; Hiatt 2017), and then jumps approximately 48 miles southeast per two new sightings noted during summer 2018 near the intersection of Fresno/Mono/Inyo Counties (Quinn 2018a; Stermer 2018).

Sightings of this species have consistently occurred in subalpine habitat at elevations ranging from 8,714 to 11,608 feet. In the Sonora Pass area, subalpine habitat is characterized by a mosaic of high-elevation meadows, rocky areas, scrub vegetation, and woodlands. Snow cover is typically heavy, and the growing season lasts only seven to nine weeks. Forested areas are typically open and patchy and trees may be stunted and bent by the wind and low temperatures.

Small mammals such as rodents as well as snowshoe hares and white-tailed jack rabbit are important food sources, particularly in winter and early spring. Whitebark pine seeds may also be an important food source during some years, particularly in winter (Sacks et al. 2017). Little information exists regarding SNRF reproductive biology, it is likely similar to other North American red fox subspecies. The gestation period for red fox varies from 51 to 53 days, with birth occurring from March through May in sheltered dens (Perrine et al. 2010). The SNRF uses natural openings in rock piles at the base of cliffs and slopes as denning sites (Grinnell et al. 1937). Additionally, they may dig earthen dens though this has not been directly documented. The population size of the SNRF is estimated between 10 and 50 adults, including some young adults.

3.2.1.3 Effects

No Action Alternative

Under the No Action Alternative, construction of the Project would commence as described in the most recent environmental document (USACE 2017), as detailed under the “Paved Trail within the Caltrans Easement Alternative”.

Paved Trail within the MCLDP Alternative

Construction of the design refinements under the lower alignment would not likely to result in additional effects to the LCT and SNYLF beyond those disclosed in the 2017 EA. Furthermore, as discussed in Sections 3.1.1 and 3.1.3, the proposed trail realignment and use of the existing Caltrans culvert would likely reduce Project effects to sagebrush, wet meadow habitat and/or riparian habitat. Use of the existing culvert would also avoid in-water work associated with the construction of a wider crossing over Martis Creek.

Construction of the proposed design refinements could potentially result in adverse effects to the Sierra Nevada red fox. Suitable habitat for the SNRF may exist in and near the Project Area, however, this species is typically associated with subalpine habitat characterized by a mosaic of high-elevation meadows, rocky areas, scrub vegetation, and woodlands. Although there was one recorded occurrence (1994) of this species within approximately 4.5 miles of the Project Area based on a CNDDDB search, the Sierra Nevada red fox has been consistently sighted at much higher elevations than where the Project is located. Construction of the new parking lot would result in a loss of approximately 0.61 acres of sagebrush scrub habitat in addition to a maximum of three acres of this habitat that would be lost due to construction of the MVT under either alignment. Mitigation measures from the 2017 EA and those listed in Table 1 would be implemented, as applicable, to avoid adverse effects to the SNRF or its habitat.

3.2.2.4 Mitigation

The proposed design refinements associated with the Proposed Action is not anticipated to result in additional effects to the LCT, SNYLF, or migratory birds. USACE informally consulted with USFWS for potential project effects on the LCT and SNYLF, and received a letter of concurrence dated July 27, 2017. All applicable mitigation measures from the 2017 EA, as well as those outlined in Table 1 below, would be implemented to avoid or minimize adverse effects to special status species and migratory birds.

Table 1. Special Status Species Mitigation Measures.

Number	Measure
General Avoidance and Minimization Measures	
SSS-1	During construction, stockpiling of construction materials, portable equipment, vehicles, and supplies would be restricted to the designated construction staging areas. To eliminate attraction from predators of listed species, all food-related trash items, such as wrappers, cans, bottles, and food scraps, would be disposed of in closed containers.
SSS-2	The number of access routes, number and size of staging areas, and the total area of the proposed project activity would be limited to the minimum necessary. Routes and boundaries would be clearly demarcated. Movement of equipment to and from the project site would be restricted to established roadways to minimize habitat disturbance. Project-related vehicles would observe a 20-mile-per-hour speed limit

Number	Measure
	within construction areas, except on country roads and on state and federal highways.
SSS-3	Prior to construction activities, a USFWS-approved biologist would provide worker awareness training to identify LCT, SNYLF, SNRF and their habitat. Workers would be provided with information on their responsibilities with regard to special status species, life history overviews, measures to minimize potential for take, and an explanation of the possible penalties for improper implementation. All on-site personnel would be required to attend a worker awareness training seminar prior to the initiation of ground disturbing activities. Special status raptor species and migratory birds would also be discussed in the training. Written documentation of the training by all personnel would be submitted to the USFWS within 30 days of its completion.
LCT and SNYLF Avoidance and Minimization Measures	
SSS-4	A USFWS-approved biological monitor would be on-site for the duration of construction activities in the vicinity of any affected aquatic habitat. The monitor would have the authority (working through the Contracting Officer's Representative) to stop work until corrective measures have been completed if those procedures are not being followed.
SSS-5	If a SNYLF is encountered during construction, activities would cease until the frog moves away from the area on their own volition. If any incidental take occurs, report to the USFWS immediately by telephone at (916) 414-6600.
SNRF Avoidance and Minimization Measures	
SSS-6	A USFWS-approved biologist would conduct pre-construction surveys (general carnivore surveys) using methods that are economically and logistically feasible, to determine presence/absence of SNRF.

3.2.2 Cultural Resources

Since the publication of the 2017 EA, there have been several developments concerning cultural resources in the vicinity of the MVT project, and at MCLD in general. Ongoing USACE management of Martis Creek Lake has also created multiple opportunities for USACE to engage with the Washoe Tribe of Nevada and California (Washoe) on resource-specific issues, including cultural resources. Those conversations have fostered a deeper understanding of the special relationship the Washoe maintain with Martis Valley, and the lands surrounding Martis Creek. The following focuses on these updates to the understanding of cultural resources at MCLD, and incorporates background and contextual information by reference.

USACE is responsible for compliance with Section 106 of the National Historic Preservation of 1966, as amended (54 U.S.C. 3016108). Reports prepared in support of the Section 106 compliance effort include work by Lindström (2011, 2012a, 2012b), USACE ([Griffin] 2015, [Pfertsh] 2017b), Waechter (2014), and Waechter and Lindström (2013, 2014, 2015).

3.2.2.1 Affected Environment

Broadly, the 2017 EA accurately describes the regional cultural chronology, archaeological evidence for Native American occupation, and historic themes for the Martis Valley. However, tribal consultation for MVT and other undertakings at MCLD have revealed that the Washoe hold a unique landscape perspective on cultural resources, one that was not fully captured by the 2017 EA. Section

106 reporting for other projects at MCLD since 2017 document the Washoe idea of a cultural landscape.

Archaeological reporting at MCLD confirms thousands of year of use by the Washoe and their ancestors. While individual use areas or settlements in Martis Valley may have had a small footprint in any one year, continuous reoccupation on a seasonal basis created a much larger imprint on the landscape and in Washoe culture and memory. From an archaeological perspective, reoccupation creates a layered accumulation of materials that become horizontally extensive sites as a use area shifts slightly year after year. To Washoe tribal members, ancient materials are the physical manifestation of their peoples' history on the landscape: the relationship between the materials and the landscape is an integral part of Washoe identity.

Archaeological site CA-PLA-5, located in and around the MVT alternative alignments, is an example of the dual nature of sites in Martis Valley. The archaeological background was adequately summarized in the 2017 EA. As a result of the archaeological significance of the site, USACE found CA-PLA-5 eligible under Criterion D for listing on the National Register of Historic Places (NRHP) during the MVT project. USACE also assumed the site eligible under Criterion A, for tribal significance, but did not fully document the significance in a report or other written product; the assumption of eligibility was limited to the MVT project at that time.

In 2018, Truckee River Watershed Council (TRWC) requested USACE real estate license to perform the Martis Mainstem Restoration project along several reaches of Martis Creek and its tributaries. Construction access would be along the TMT that passes through the southern edge of CA-PLA-5. Despite plans to avoid impacts to the site, a construction access road was bladed and leveled along the TMT trailbed in July 2019. USACE required TRWC to complete an impacts assessment in order to determine potential unanticipated impacts on the site. TRWC delivered this product to USACE. Following review, USACE determined that an impact had occurred, but that the current eligibility statement for CA-PLA-5 did not contain the appropriate content with which to contextualize it, namely, Washoe tribal significance under Criterion A. Therefore, following extensive tribal consultation, USACE submitted a supplemental eligibility statement that described the Washoe significance in August 2020 (USACE 2020). USACE also submitted a proposed treatment for CA-PLA-5 that will be completed by coordination between the Washoe Tribe, TRWC, and USACE. SHPO concurrence on the Criterion A addition to CA-PLA-5 eligibility was received in a letter dated September 16, 2020. The confirmation of Criterion A eligibility represents a change in the site's NHRP status relative to the status at the time of the 2017 EA.

The following excerpt from USACE 2020 eligibility statement summarizes the significance of CA-PLA-5 to the Washoe.

“The archaeological site PLA-5 represents the lived experience of the Washoe Tribe in Martis Valley through the material remains and the connections to Washoe traditional practices, the lives of ancestors, and more recently, the lives of family members and individuals. PLA-5 symbolizes Washoe history and lifeways, and contributes to Washoe identity, in part because it is a recognizable and highly visible archaeological site. The archaeological materials are physical referents for intangible cultural values: respect for the landscape and environment, the relationship between the Washoe and Martis Valley, and the connections between the Washoe and their ancestors and future generations. Washoe tribal members still feel a deep connection and maintain a sense of responsibility for the land regardless of Federal ownership.

PLA-5 is eligible under Criterion A for its traditional cultural significance: an association with the pattern of events that contribute to Washoe community identity, and ongoing maintenance of that identity. The archaeological deposits represent prehistoric use of the area for thousands of years. This is a perspective shared by the WCRAC [Washoe Cultural Resources Advisory Council] members and archaeologists (Ataman et al. 1999; Waechter and Lindström 2014). The activities for which the site was used in the past have direct parallels to Washoe cultural traditions of hunting, fishing, gathering, and other activities that represent the lived experience of Washoe people at Martis Creek Lake. The site expresses the permanence of Washoe presence on the land. It materially and metaphorically roots their history in the Martis Valley. As a locus of cultural identity, PLA-5 is an important location for educating young tribal members, a process which reflects the deep responsibility to preserve Washoe places and cultivate Washoe traditions for future generations.

The location, setting, materials, feeling, and association are the elements of integrity that support PLA-5 eligibility under Criterion A. The location and setting of the site connect tribal members to the Martis Valley environment, grounding the Washoe collective memory of the lived experience at the site in activities such as camping, hunting, fishing, and gathering. Within living memory, Washoe tribal members cite more intimate experiences and recollections of births, deaths, burials, childhood reminiscences, and family reunions.

The presence of the archaeological materials is the reification of the traditional activities and personal memories; this is a fundamentally different perspective than the data potential described by Criterion D significance. For the Washoe, being physically present at the site brings a feeling of deep connection to Washoe culture and history, and association with Washoe ancestors who have been at that place on the landscape. Washoe tribal members continue to feel this connection despite over 50 years of landscape modification that have included road construction, Federal acquisition, dam construction, and recreational development.”

3.2.2.2 Effects

No Action Alternative

The 2017 EA adequately documented the reasonably foreseeable effects of the no action alternative on Cultural Resources. Initial designs for the trailbed in Segment 3A entailed a cut-and-fill design to accommodate changes in topography, notably the outcropping of the TMT towards Martis Creek. The 2017 EA found that construction of Segment 3A would be unlikely to pose an adverse effect to the site under Criterion A (tribal significance), but would pose an adverse effect under Criterion D (archaeological significance). Subsurface disturbance was recommended to a depth of only eight inches during construction. Effects disclosed in the 2017 EA included alteration to the “physical and aesthetic qualities” of the wildlife area, and “ongoing disturbance or degradation of the archaeological resources and cultural value of the valley “.

Current and reasonably foreseeable future projects continue local development with expansive footprints. The 2017 EA characterized the MVT project as not contributing to cumulative adverse effects, citing the implementation of future mitigation measures. Therefore, the no action alternative for this SEA would not contribute to cumulative effects.

Paved Trail within the MCLDP Alternative

NCSD has proposed a revised construction design for trail Segment 3A associated with the lower alignment, which follows the TMT from the east end of the lower wildlife area parking lot to the

Martis Creek culvert under SR-267 (Figure 1); this is also referred to as the “lower alignment” in project discussions. The primary design change for Segment 3A is the addition of fill to create a raised platform for the trail inside the site boundary CA-PLA-5 where archaeological deposits are present. The fill would provide a level base for the paved trail instead of using a cut-and-fill method. This would have the function of elevating the trailbed materials above the ground surface, with the intention of reducing the need for excavation into native soil. The width of the fill would vary depending on topography, but not exceed 28 feet in width. The fill would function as a cap for the archaeological site along Segment 3A. Ground preparation and application of the fill material would follow best management practices.

NCSA proposes to reroute a portion of Segment 1B-2, located in the eastern portion of CA-PLA-5, using existing Wildlife Area parking lot to capitalize on existing disturbance areas. However, the 2017 construction method for trail Segment 1B-2, which included a cut-and-fill strategy to accommodate the topography would be implemented. As a result, potential adverse effects to the site’s Criterion D significance (i.e., archaeological significance) remain for the proposed design. These adverse effects were addressed in the 2017 EA.

Tribal significance under Criterion A remains a consideration as well. The nature of tribal significance and elements of integrity for CA-PLA-5 have been more clearly defined since 2017, albeit as part of another undertaking. Importantly, the clarified definition provides parameters for re-assessment of affects for the MVT undertaking. Of the five elements of integrity retained by the site under Criterion A, the proposed activity would likely adversely affect feeling, association, and setting through the nature of the proposed activity, focused on recreation and creating a traffic corridor through MCLD. Feeling and association, according to the eligibility statement, refer to the connection that tribal members, especially respected elders, feel to the landscape and their ancestors at CA-PLA-5 as a focal point of cultural activity. The cultural value of the site lies in the way it draws together the natural and human elements of the Washoe landscape. When visiting the site, tribal members felt experiencing the landscape evoked connections to traditional activities, such as gathering, that their ancestors practiced here. This connection also makes it a desirable location for teaching younger tribal members about traditional activities and Washoe identity.

Creating a paved thoroughfare across CA-PLA-5 would bring increased traffic to, and specifically through, the site. The opportunity for Washoe tribal members to visit the site and participate in their collective past would be reduced because their experience of the landscape would be altered. The setting of the site would be changed from a hillside in a wildlife viewing area to a transportation corridor. The 2017 EA glossed these qualities as the “physical and aesthetic qualities” and “cultural value” that would be altered by MVT construction along the TMT; now they can be described more clearly using the Criterion A terminology.

Potential adverse effects to the site’s significance under Criterion A would be realized as a result of the proposed activity, in contrast to the assessment made in the 2017 EA. Combined, the proposed activity’s impact on the three elements of integrity would reduce the site’s ability to convey its significance under Criterion A. USACE will not revise the Section 106 consultation; the project has a finding of adverse effect and an executed Memorandum of Agreement (MOA) (USACE 2017c) to fulfill compliance requirements.

The lower alignment makes use of a revised Martis Creek crossing that differs from that presented in the 2017 EA. Specifically, the trail would cross Martis Creek over the Caltrans culvert, rather than by the existing bridge on the TMT. This change would not cause effects to documented

cultural resources.

The revisions to construction methods and design under the lower alignment would have many of the same physical impacts as the no action alternative, and similarly be subject to mitigation measures. Even though CA-PLA-5 is now eligible for the NRHP under Criterion A for cultural significance, mitigation measures are expected to address both the archaeological and cultural significance of the site. Therefore, the Proposed Action would not constitute a cumulative adverse effect.

3.2.2.3 Mitigation

An initial set of mitigation measures under NEPA was documented in the 2017 EA; they still remain potentially implementable. “Other Potential Mitigation Measures” that may be implemented for Section 106 compliance were also outlined in the 2017 EA. Regarding Section 106 compliance, USACE executed an MOA (USACE 2017c) that contained provisions for the creation of a Historic Properties Treatment Plan (HPTP). The HPTP will contain a detailed description of USACE’s final mitigation activities. The MOA outlined two elements guaranteed to be included in the HPTP: Cultural Landscape identification and report deliverable, and interpretive materials to include signage and panels. Additional mitigation measures may also be introduced and selected through HPTP development, while the original two MOA elements will be described in finer detail. Implementation of the MOA, HPTP, and other activities or products would be completed with additional SHPO and tribal consultation, as required.

Since 2017, the following activities have been discussed as potential mitigation elements and may be incorporated into the HPTP for Section 106 compliance:

Table 2. Cultural Resources Mitigation Measures.

Number	Measure
CR-1	The Cultural Landscape identification will include documentation as a Multiple Property Listing and include ethnographic interviews with Washoe tribal members.
CR-2	NCSD will retain a qualified archaeological monitor to serve during construction.
CR-3	Collect and retain sensitive items disturbed by trail construction. Storage will be at MCLD Park Office. They will be reburied once project is complete. No long-term curation will occur.
CR-4	Close and relocate the upper Wildlife Area parking lot. The lot would be revegetated and access limited to maintenance only.
CR-5	Construction of viewing/interpretive area in the lower Wildlife Area parking lot. This mitigation element would only be implemented if the proposed lower alignment is constructed.
CR-6	Low post-less split rail fencing installed along trail route to discourage public wandering across areas with archaeological deposits.
CR-7	Creation of interpretive and educational materials with the Washoe and other partners. Target topics would include natural resources and their value, e.g., clean water, native flora and fauna, cultural significance, etc.
CR-8	Cap a section of the TMT east of lower Wildlife Area parking lot to minimize amount of subsurface disturbance.

Mitigation Benefits

While the Washoe would prefer impacts to CA-PLA-5 to be avoided, there is an awareness that mitigating for adverse effects to the site could also serve Washoe interests in the Martis Valley.

Mitigation options, if implemented, have the potential to encourage respectful use of the area by non-tribal visitors, facilitate access for tribal members, and lay the groundwork for strategic ongoing management of CA-PLA-5 and other archaeological sites on Corps property.

There is value for the Washoe in the potential array of mitigation activities and products. Since the completion of the 2017 EA, the cultural landscape study has developed greater importance due to its ethnographic element. Washoe elders are the greatest cultural asset of the tribe. They serve as cultural and social guides to all tribal members but are especially important as leaders and teachers in the tribe's educational programs for its young people. Documenting elders' memories, abilities, and characters has become a priority as their numbers dwindle. As a result, there is increasing attention for projects that can facilitate this process. The MVT's cultural landscape study and options for creation of a location-specific interpretive display at CA-PLA-5 (for the lower alignment) are valuable opportunities to magnify and the role of tribal elders.

The lower alignment offers more substantial benefits for Washoe purposes, as it combines the most mitigation elements, particularly the conversion of the lower parking lot to an interpretive area. Implementation in the near future would be the most effective way to gather the experiences of as many tribal elders as possible.

4.0 COORDINATION AND REVIEW OF SEA

The Draft SEA and FONSI would be circulated for 30 days to agencies, organizations, and individuals known to have an interest in the Martis Valley ROW Project. Any comments received would be addressed in the Appendix (Appendix C) of the Final SEA. Electronic copies of the Draft SEA and FONSI would be posted on the USACE website. The draft documents would also be provided upon request. The Project is being coordinated with interested Native American Tribes and with all relevant government agencies including USFWS, CDFW, the SHPO, and Placer County.

5.0 LIST OF PREPARERS

USACE, Sacramento District and NCSA contributed technical information or reviewed the SEA. Principal report analysts, authors, and reviewers are listed below.

Timothy Warner, Chief, Operations Technical Section
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NEPA Lead - Report Preparation and Coordination

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U.S. Army Corps of Engineers, Sacramento District
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Jack Pfertsh, Senior Archeologist
U.S. Army Corps of Engineers, Sacramento District
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Zeferina Ruvalcaba, Chief, Management Support Branch
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Report Review and Coordination

Joe Griffin, Chief, Cultural, Recreational, and Social Assessment Section
U.S. Army Corps of Engineers, Sacramento District
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Thomas Ehrke, Chief, Northern Operations Area Office
U.S. Army Corps of Engineers
Report Review and Coordination

Lisa Clay, Deputy District Counsel (Operations, Regulatory, & Military Programs)
U.S. Army Corps of Engineers
Report Review and Coordination

6.0 REFERENCES

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APPENDICES

APPENDIX A
SPECIAL STATUS SPECIES LISTS

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United States Department of the Interior

FISH AND WILDLIFE SERVICE
Sacramento Fish And Wildlife Office
Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
Phone: (916) 414-6600 Fax: (916) 414-6713



In Reply Refer To:
Consultation Code: 08ESMF00-2020-SLI-2964
Event Code: 08ESMF00-2020-E-09180
Project Name: MVT ROW PROJECT

September 23, 2020

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, under the jurisdiction of the U.S. Fish and Wildlife Service (Service) that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the Service under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Please follow the link below to see if your proposed project has the potential to affect other species or their habitats under the jurisdiction of the National Marine Fisheries Service:

http://www.nwr.noaa.gov/protected_species/species_list/species_lists.html

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Sacramento Fish And Wildlife Office

Federal Building
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846
(916) 414-6600

Project Summary

Consultation Code: 08ESMF00-2020-SLI-2964

Event Code: 08ESMF00-2020-E-09180

Project Name: MVT ROW PROJECT

Project Type: RECREATION CONSTRUCTION / MAINTENANCE

Project Description: SEA for the MVT ROW Project with proposed design refinements to the construction and alignment of the MVT.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/39.304905096570934N120.13580342056302W>



Counties: Placer, CA

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Amphibians

NAME	STATUS
Sierra Nevada Yellow-legged Frog <i>Rana sierrae</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9529	Endangered

Fishes

NAME	STATUS
Lahontan Cutthroat Trout <i>Oncorhynchus clarkii henshawi</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3964	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

CALIFORNIA DEPARTMENT OF
FISH and WILDLIFE RareFind

Query Summary:
 Quad IS (Truckee (3912032) OR Martis Peak (3912031))

CNDDB Element Query Results

Scientific Name	Common Name	Taxonomic Group	Element Code	Total Occs	Returned Occs	Federal Status	State Status	Global Rank	State Rank	CA Rare Plant Rank	Other Status	Habitats
<i>Accipiter gentilis</i>	northern goshawk	Birds	ABNKC12060	433	4	None	None	G5	S3	null	BLM_S-Sensitive, CDFW_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFS_S-Sensitive	North coast coniferous forest, Subalpine coniferous forest, Upper montane coniferous forest
<i>Ambystoma macrodactylum sigillatum</i>	southern long-toed salamander	Amphibians	AAAAA01085	611	1	None	None	G5T4	S3	null	CDFW_SSC-Species of Special Concern	null
<i>Aplodontia rufa californica</i>	Sierra Nevada mountain beaver	Mammals	AMAFAD1013	131	4	None	None	G5T3T4	S2S3	null	CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern	Riparian forest, Riparian scrub, Riparian woodland
<i>Arabis rigidissima</i> var. <i>demota</i>	Galenia Creek rockcress	Dicots	PD BRAD061R1	7	3	None	None	G3T3Q	S1	1B2	USFS_S-Sensitive	Broadleaved upland forest, Upper montane coniferous forest
<i>Artemisia tripartita</i> ssp. <i>tripartita</i>	threetip sagebrush	Dicots	PDAST051S2	4	1	None	None	G5T4T5	S2	2B3	null	Upper montane coniferous forest
<i>Bombus morrisoni</i>	Morrison bumble bee	Insects	IIHYM24460	85	1	None	None	G4G5	S1S2	null	IUCN_VU-Vulnerable	null
<i>Bombus occidentalis</i>	western bumble bee	Insects	IIHYM24250	281	1	None	Candidate Endangered	G2G3	S1	null	USFS_S-Sensitive	null
<i>Botrychium lunaria</i>	common moonwort	Ferns	PPOPH01080	7	1	None	None	G5	S2	2B3	USFS_S-Sensitive	Meadow & seep, Subalpine coniferous forest, Upper montane coniferous forest
<i>Botrychium minganense</i>	Mingan moonwort	Ferns	PPOPH010R0	130	1	None	None	G4G5	S3	2B2	USFS_S-Sensitive	Bog & fen, Lower montane coniferous forest, Meadow & seep, Upper montane coniferous forest, Wetland
<i>Carex davyi</i>	Davy's sedge	Monocots	PMCYP033H0	34	1	None	None	G3	S3	1B3	null	Subalpine coniferous forest, Upper montane coniferous forest
		Fish	AF CJC02160	22	2	None	None	G5	S3	null		

Catostomus platyrhynchus	mountain sucker											CDFW_SSC-Species of Special Concern	Aquatic, Great Basin flowing waters
Empidonax traillii	willow flycatcher	Birds	ABPAE33040	90	4	None	Endangered	G5	S1S2	null	IUCN_LC-Least Concern, USFS_S-Sensitive, USFWS_BCC-Birds of Conservation Concern	Meadow & seep, Riparian scrub, Riparian woodland, Wetland	
Erethizon dorsatum	North American porcupine	Mammals	AMAFJ01010	523	11	None	None	G5	S3	null	IUCN_LC-Least Concern	Broadleaved upland forest, Cismontane woodland, Closed-cone coniferous forest, Lower montane coniferous forest, North coast coniferous forest, Upper montane coniferous forest	
Eriogonum umbellatum var. torreyanum	Donner Pass buckwheat	Dicots	PDPGN086U9	23	1	None	None	G5T2	S2	1B.2	USFS_S-Sensitive	Meadow & seep, Upper montane coniferous forest	
Ivesia sericoleuca	Plumas ivesia	Dicots	PDROS0X0K0	80	11	None	None	G2	S2	1B.2	USFS_S-Sensitive	Great Basin scrub, Lower montane coniferous forest, Meadow & seep, Vernal pool, Wetland	
Juncus luciensis	Santa Lucia dwarf rush	Monocots	PMJUN013J0	37	1	None	None	G3	S3	1B.2	BLM_S-Sensitive, USFS_S-Sensitive	Chaparral, Great Basin scrub, Lower montane coniferous forest, Meadow & seep, Vernal pool, Wetland	
Lepus americanus tahoensis	Sierra Nevada snowshoe hare	Mammals	AMAEB03012	15	1	None	None	G5T3T4Q	S2	null	CDFW_SSC-Species of Special Concern	Riparian woodland	
Margaritifera falcata	western pearlshell	Mollusks	IMBIV27020	78	1	None	None	G4G5	S1S2	null		Aquatic	
Oncorhynchus clarkii henshawi	Lahontan cutthroat trout	Fish	AFCHA02081	27	3	Threatened	None	G4T3	S2	null	AFS_TH-Threatened	Aquatic, Great Basin flowing waters	
Potamogeton robbinsii	Robbins' pondweed	Monocots	PMPOT030Z0	17	1	None	None	G5	S3	2B.3	null	Marsh & swamp, Wetland	
Prosopium williamsoni	mountain whitefish	Fish	AFCHA03060	23	1	None	None	G5	S3	null	CDFW_SSC-Species of Special Concern	null	
Rana sierrae	Sierra Nevada yellow-legged frog	Amphibians	AAABH01340	659	3	Endangered	Threatened	G1	S1	null	CDFW_WL-Watch List, IUCN_EN-Endangered, USFS_S-Sensitive	Aquatic	
Rhamnus alnifolia	alder buckthorn	Dicots	PDRHA0C010	27	4	None	None	G5	S3	2B.2	null	Lower montane coniferous forest, Meadow & seep,	

													Riparian scrub, Upper montane coniferous forest, Wetland
Rorippa subumbellata	Tahoe yellow cress	Dicots	PDBRA270M0	30	1	None	Endangered	G1	S1	1B.1	SB_BerrySB-Berry Seed Bank, SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, USFS_S-Sensitive	Lower montane coniferous forest, Meadow & seep, Wetland	
Scutellaria galericulata	marsh skullcap	Dicots	PDLAM1U0J0	39	1	None	None	G5	S2	2B.2	null	Lower montane coniferous forest, Marsh & swamp, Meadow & seep, Wetland	
Setophaga petechia	yellow warbler	Birds	ABPBX03010	78	1	None	None	G5	S3S4	null	CDFW_SSC-Species of Special Concern, USFWS_BCC-Birds of Conservation Concern	Riparian forest, Riparian scrub, Riparian woodland	
Stygobromus sheldoni	Sheldon's amphipod	Crustaceans	ICMAL05A40	3	1	None	None	G1	S1	null	null	Aquatic	
Vulpes vulpes necator	Sierra Nevada red fox	Mammals	AMAJA03012	201	1	Proposed Endangered	Threatened	G5T1T2	S1	null	USFS_S-Sensitive	Alpine, Alpine dwarf scrub, Broadleaved upland forest, Meadow & seep, Riparian scrub, Subalpine coniferous forest, Upper montane coniferous forest, Wetland	

APPENDIX B
“NO PERMIT REQUIRED” REGULATORY LETTER

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DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

October 8, 2020

Regulatory Division (SPK-2010-00855)

Mr. Mike Staudenmayer
Northstar Community Services District
900 Northstar Drive
Northstar, California 96161

Dear Mr. Staudenmayer:

This concerns your proposed Martis Valley Regional Trail, Segment 3A project to construct a recreational trail and transportation corridor. The approximately 4.44-acre project site is located near Martis Creek, along State Highway 267, Latitude 39.301884°, Longitude -120.126289°, in Truckee, Placer County, California.

The Martis Valley Regional Trail, Segment 3A project involves the construction of an approximately 14- to 22-foot wide recreational trail through Martis Valley. The proposed activities would be conducted in accordance with the enclosed *Martis Valley Trail 3A NCSD, Wetland Exhibit*, dated June 2020 (enclosure 1), and the *Martis Valley Trail 3A NCSD, Creek Crossing Exhibit*, dated September 2020 (enclosure 2), prepared by Auerbach Engineering Corporation.

Based on the drawings identified above, we have determined that the proposed work will not result in the discharge of dredged or fill material within waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented on site to achieve this end.

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other federal, state, and local laws may apply to your activities. Therefore, in addition to contacting other federal and local agencies, you should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

-2-

Please refer to identification number SPK-2010-00855 in any correspondence concerning this project. If you have any questions, please contact me by email at Leah.M.Fisher@usace.army.mil, or by telephone at (916) 557-6639.

Sincerely,

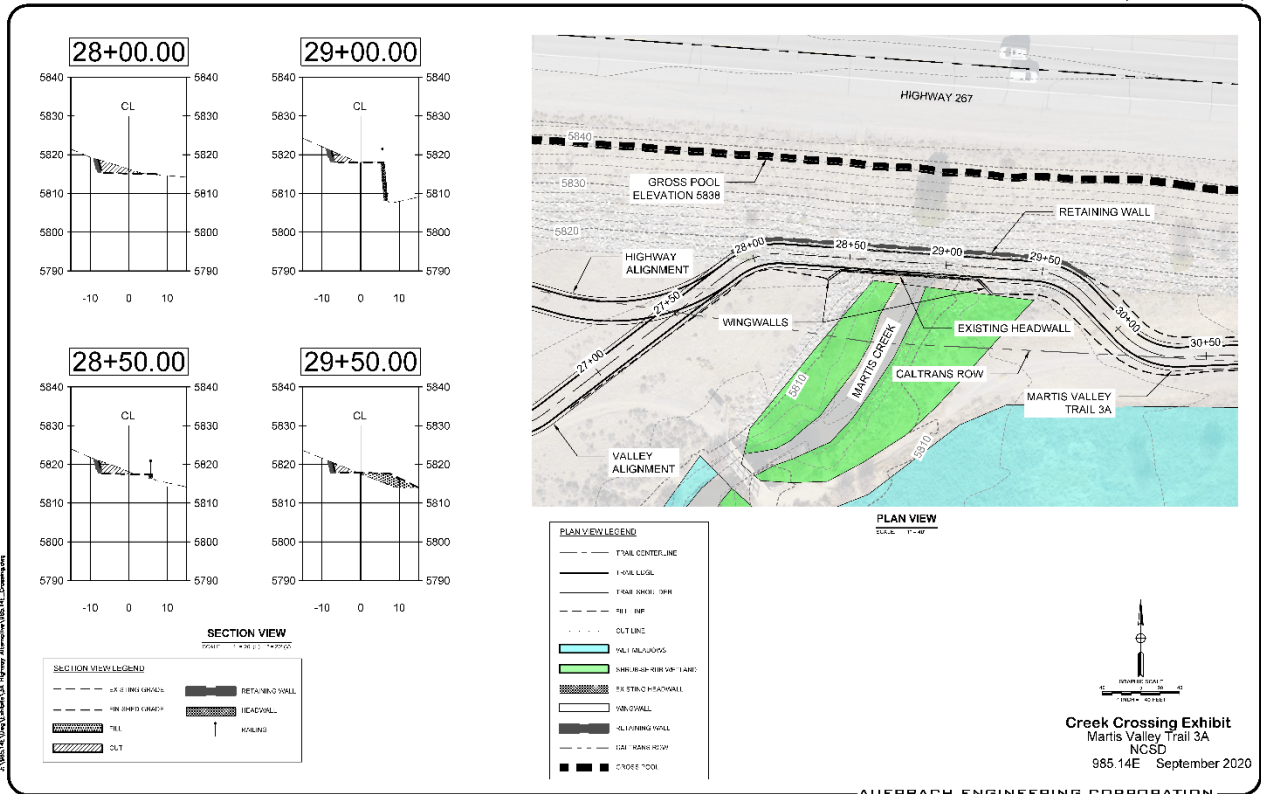


Leah M. Fisher
Senior Project Manager
California North Section

Enclosures

cc: (w/encls)

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APPENDIX C
PUBLIC INVOLVEMENT

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INTRODUCTION

PUBLIC COMMENT SUMMARY

RESPONSES TO PRIMARY COMMENTS

COMMENTS AND RESPONSES

RESPONSE TO COMMENTS
Supplemental Environmental Assessment
Martis Valley Trail Right-of-Way Project
Placer County, California

A. Letter from XYZ, dated April 5, 2019

1. Comment:

Response: