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**AGENDA ITEM NO.:** 8 (Action Item – Public Hearing)

**PLANNING COMMISSION  
MEETING DATE:** February 27, 2019

**SUBJECT:** Approval of the Mitigated Negative Declaration for the Carroll Creek Road Bridge Replacement Project

**PROJECT INFORMATION**

**Supervisory District:** District 5

**Project Applicant:** Inyo County Public Works

**Community:** Near Lone Pine

**Staff Recommended Action:** 1.) Approve the Mitigated Negative Declaration

**Alternatives:**

- 1.) Deny the Mitigated Negative Declaration
- 2.) Approve the Mitigated Negative Declaration with additional conditions of approval
- 3.) Continue the public hearing to a future date, and provide specific direction to staff regarding what additional information and analysis is needed.

**Project Manager:** Ashley Helms

**STAFF ANALYSIS**

**Background and Overview**

The Inyo County Public Works Department (County) proposes the Carroll Creek Road Bridge Replacement Project (proposed project) which would involve the replacement of County Bridge 48C-0011 with a new bridge and would decommission the existing bridge. The proposed project would also require the realignment of Carroll Creek Road as it approaches the new bridge in either direction.

The proposed project is needed because the existing bridge does not meet structural and safety standards. The existing bridge deck has significant cracking in both directions and has spalling (pieces of material cracking and falling off) throughout. Some of the spalling has exposed reinforcing steel. The concrete railings on the bridge have vertical cracking every 3 to 5 feet and are nonstandard. The barrier concrete is showing signs of alkali-silica reactivity. The bridge approach is lacking guardrails and the wooden weir gate along the bridge railing could present a potential hazard to motorists.

The purpose of the proposed project is to construct a bridge that is structurally sound, meets current structural and safety codes, and provides safe access for vehicles, including emergency vehicles, between U.S. Highway 395 and recreation areas, residences, and other destinations west of the bridge.

### **Environmental Review**

County has assessed the potential environmental impacts to replace County Bridge 48C0011 and realign Carroll Creek Road as it approaches the bridge in either direction. This Mitigated Negative Declaration (MND) has been prepared pursuant to the California Environmental Quality Act (CEQA) based on the assessment presented in the Inyo County Carroll Creek Road Bridge Replacement Project Initial Study.

The Notice of Availability for the proposed MND was issued on December 7<sup>th</sup>, 2018 with the Inyo County Recorder's Office. The proposed Mitigated Negative Declaration was publicly noticed in the Inyo County Register on December 6<sup>th</sup>, beginning a 30-day review window. No comments were received. The public hearing for this environmental document was noticed on February 16<sup>th</sup>, 2019.

### **Mitigation Measures:**

Mitigation measures have been identified to reduce potentially significant impacts of the project. Implementation of identified mitigation measures would result in avoiding the impact or reducing it to a less than significant level. These measures contain mitigations to ensure protection of federally and state protected species potentially present in the project area including Mojave desert tortoise, Mohave ground squirrel, American badger, desert kit fox, and burrowing owl. Cultural mitigation measures include pre-construction training pertaining to inadvertent discovery of paleontological or archaeological resources. The project will also require dust and engine emissions control measures. All mitigation measures are described in detail in the MND.

### **Tribal Consultation**

California Assembly Bill 52 requires tribal consultation for any projects requiring a negative declaration, mitigated negative declaration, or environmental impact report. Pursuant to Public Resources Code Section 21080.3.1, Tribes have 30-days, after receiving invitations to consult on the proposed environmental document, to request consultation opportunities. In October 2017, Inyo County Board of Supervisors sent a formal notification to representatives of the eight Native American tribes with traditional or cultural affiliation to the project area: Lone Pine Paiute-Shoshone Tribe, Fort Independence Indian Community of Paiutes, Timbisha Shoshone Tribe, Bishop Paiute Tribe and the Big Pine Paiute Tribe of the Owens Valley, Cabazon Band of Mission Indians, Torres Martinez Desert Cahuilla Indians, and the Twenty Nine Palms Band of Mission Indians.

Two tribes sent responses to the County. The Bishop Paiute Tribe response stated that the tribe had no comments on the project. The Twenty-nine Palms Band of Mission Indians stated that the tribe was not aware of any archaeological or cultural sites in the vicinity of the project and indicated that the tribe has no interest in the project. To date, no additional responses have been received. No tribes have requested formal consultation or additional information about the proposed project. There are no known tribal cultural resources in the project vicinity.

## **RECOMMENDATION**

County staff recommends the approval of the Mitigated Negative Declaration for the Carroll Creek Road Bridge Replacement Project.

### **Findings**

1. The proposed project is an Initial Study with Mitigated Negative Declaration under CEQA guidelines and the provisions of the California Environmental Quality Act have been satisfied.

*[Evidence: Pursuant to Title 14 California Code Regulatory Sections 15000 et seq., the County has performed an Initial Study with a Mitigated Negative Declaration in order to “consult with other County departments, agencies, groups, and individuals, which may provide information and assistance to the Planning Department during this phase of environmental review” (Inyo County Code Section 15.28.030). This document contains the necessary “project description, evaluation of environmental impacts that may be conducted using an environmental checklist supported by sufficient explanations, discussion of any potentially significant impacts and mitigation measures” (Inyo County Code Section 15.28.040).*