

Bolsa Chica Roadway Embankment Reconstruction Project

**ORANGE COUNTY, CALIFORNIA
DISTRICT 12- ORA - 1 (PM 28.7-29.7)
12-0L2900**

Initial Study with Negative Declaration



**Prepared by the
State of California Department of Transportation**



AUGUST 2010

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Lines of text in this Final Initial Study (IS) that have been revised or added since the publication of the Draft IS are indicated by the presence of a vertical line in the left margin of the page (see example at left).

SCH # 2010041077
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0L2900

This project will complete the emergency project by protecting motorists, cyclists, and the pedestrian public by installing pedestrian safety cable rails and metal beam guard rails along State Route 1, Huntington Beach, Orange County (Post Mile 28.7 to Post Mile 29.7) from Warner Avenue to Seapoint Avenue.

INITIAL STUDY with Negative Declaration

Submitted Pursuant to: (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation

Sept 3, 2010
Date of Approval



CINDY QUON
District Director
District 12 Division
California Department of Transportation

NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (Department) proposes to complete the emergency project by protecting motorists, cyclists, and the pedestrian public by installing pedestrian safety cable rails and metal beam guard rails along State Route 1, also known as Pacific Coast Highway (PCH), in the city of Huntington Beach, Orange County, California. The project is needed because this segment of PCH is subject to landslides, erosion, and flooding during storms with high tide conditions.

Determination

The Department has prepared an Initial Study for this project; and following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on agricultural resources, air quality, cultural resources, geology and soils, hazards and hazardous material, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation/traffic, and utilities and service systems.

In addition, the proposed project would have no significant effect on aesthetics, biological resources, and hydrology and water quality.



CINDY QUON
Deputy District Director
District 12 Division of Environmental Analysis
California Department of Transportation

Sept 3, 2010
Date

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Chapter 1 – PROPOSED PROJECT

1.1 Project Location

The project is located on northbound State Route 1, also known as Pacific Coast Highway (PCH), in the city of Huntington Beach from Warner Avenue to Seapoint Avenue. The project lies between the Bolsa Chica Ecological Reserve and Bolsa Chica State Park. See Figure 1 (Project Vicinity Map) and Figure 2 (Project Location Map).

1.2 Project Description

This section describes the proposed action and the design alternative that were developed to meet the identified need through accomplishing the defined purpose(s), while avoiding or minimizing environmental impacts. There are three “Build Alternatives” and a “No Build Alternative”.

This project proposes to complete the emergency project by installing pedestrian safety cable rails and metal beam guard rails to protect motorists, cyclists, and the pedestrian public. The emergency project installed 475 feet of steel sheet pile wall, 4 feet away from the edge of shoulder and backfilled the gap with imported soil between the driven sheet piles and restored embankment. This project proposes to install approximately 495 feet of pedestrian safety cable railing adjacent to the wall and approximately 538 feet of metal beam guard rail (MBGR) or 500 feet of concrete barrier to increase traffic safety for the motoring, cycling, and pedestrian public. Prior to the installation of the pedestrian cable rail and the MBGR or concrete barrier, removal of existing temporary concrete barrier railing (type K) and its underlying asphalt concrete (AC) strip shall be completed.

The initial project was declared an emergency project in July 2009 due to the imminent threat to the traveling public. The emergency project was completed on August 26, 2009. Coordination and approvals were obtained from the California Coastal Commission, California Department of Fish and Game, Regional Water Quality Control Board, United States Army Corps of Engineers, and United States Fish and Wildlife Service.

Alternatives

Alternative 1: No Build

This alternative proposes no action. The emergency project completed the installation of 475 feet of metal sheet piles; however this project scope will not be complete if traffic safety guard rails and pedestrian safety cable rails are not constructed. Furthermore, traffic safety for the highway will not be up to Department’s current design standards for Clear Recovery Zone requirement¹.

¹ The Department’s Highway Design Manual states a clear recovery zone is an unobstructed, relatively flat (4:1 or flatter) or gently sloping area beyond the edge of traveled way which affords the drivers of errant vehicles the opportunity to regain control. Fixed objects including bridge piers, abutments, retaining wall, a noise barriers closer than 30 feet to the edge of traveled way should be eliminated, moved, redesigned to be made yielding, or shielded in accordance with: (c) If a fixed object cannot be eliminated, moved outside the clear recovery zone, or modified to be made yielding, it should be shielded by guardrail or crash cushions. (HDM 309.1(2))

Chapter 1 – PROPOSED PROJECT

Alternative 2: Build—MBGR (Preferred Alternative)

This alternative proposes to install approximately 538 feet (2.4 feet high) of MBGR at the edge of existing paved shoulder (4 feet away from the wall) and to install 495 feet (3 feet high) of pedestrian safety cable rail along the edge of the sheet pile wall. This alternative will bring the traffic safety to current Department design standards for Clear Recovery Zone requirements and help prevent any injuries to pedestrians and the motoring public.

Additional work includes removal of 520 feet of temporary concrete barrier railing (Type K) and its underlying 479 feet of AC strip (3.5 feet wide). Upon removal of the AC strip, the area must to be filled and compacted with imported aggregate subbase (class 2). Soil must also be excavated for installation of the MBGR posts and cable railing foundation.

This alternative requires no right of way acquisition or impacts to utilities.

Alternative 3: Build—Concrete Barrier

This alternative proposes to install approximately 550 feet (3 feet high) of concrete barrier (Type 60) at the edge of existing paved shoulder (4 feet away from the wall) and to install approximately 495 feet (3 feet high) of pedestrian safety cable railing along the edge of the sheet pile wall. A crash cushion unit is required at the front tip of the barrier. This alternative will bring the traffic safety to current Caltrans design standards for Clear Recovery Zone and helps prevent any injuries to pedestrians and the motoring public.

Additional work includes removal of 520 feet of temporary concrete barrier railing (Type K) and its underlying 479 feet of AC strip (3.5 feet wide). Upon removal of the AC strip, the area must to be filled and compacted with imported aggregate subbase (class 2). Soil must also be excavated for installation of the MBGR posts and cable railing foundation.

This alternative requires no right of way acquisition or impacts to utilities.

Alternative 4: Build (Rejected Alternative)

Shore protection alternatives such as rock slope protection, concrete retaining walls, and other types of walls were rejected since they require encroachments into the Bolsa Chica Reserve. These alternatives require right of way acquisition.

Identification of the Preferred Alternative

Alternative 2 is the preferred alternative in that it meets the Department standards for safety, both for pedestrians by providing cable railing and for vehicles by protecting the hazard of the vertical wall face with an approved protective device, while simultaneously providing an optimized visual outcome for the Bolsa Chica Ecological Reserve.

Chapter 1 – PROPOSED PROJECT

1.3 Permits and Approvals Needed

The following permits, reviews, and approvals would be required for project construction:

Table 1: Permits, Reviews, and Approvals

Agency	Permits/Approvals	Status
California Coastal Commission	Coastal Development Permit	

The following permits, reviews, and approvals were obtained as part of the emergency project:

Table 2: Permits, Reviews, and Approvals

Agency	Permits/Approvals	Status
United States Army Corps of Engineers	Regional General Permit (RGP)	RGP No. 63 was issued for emergency repairs on July 20, 2009
United State Department of Fish & Wildlife Service	Informal Section 7 Consultation	Concurrence determined on July 20, 2009
California Coastal Commission	Coastal Emergency Permit	Emergency permits No. 5-09-131-G and No. 5-09-160-G were issued on July 15, 2009 and August 26, 2009

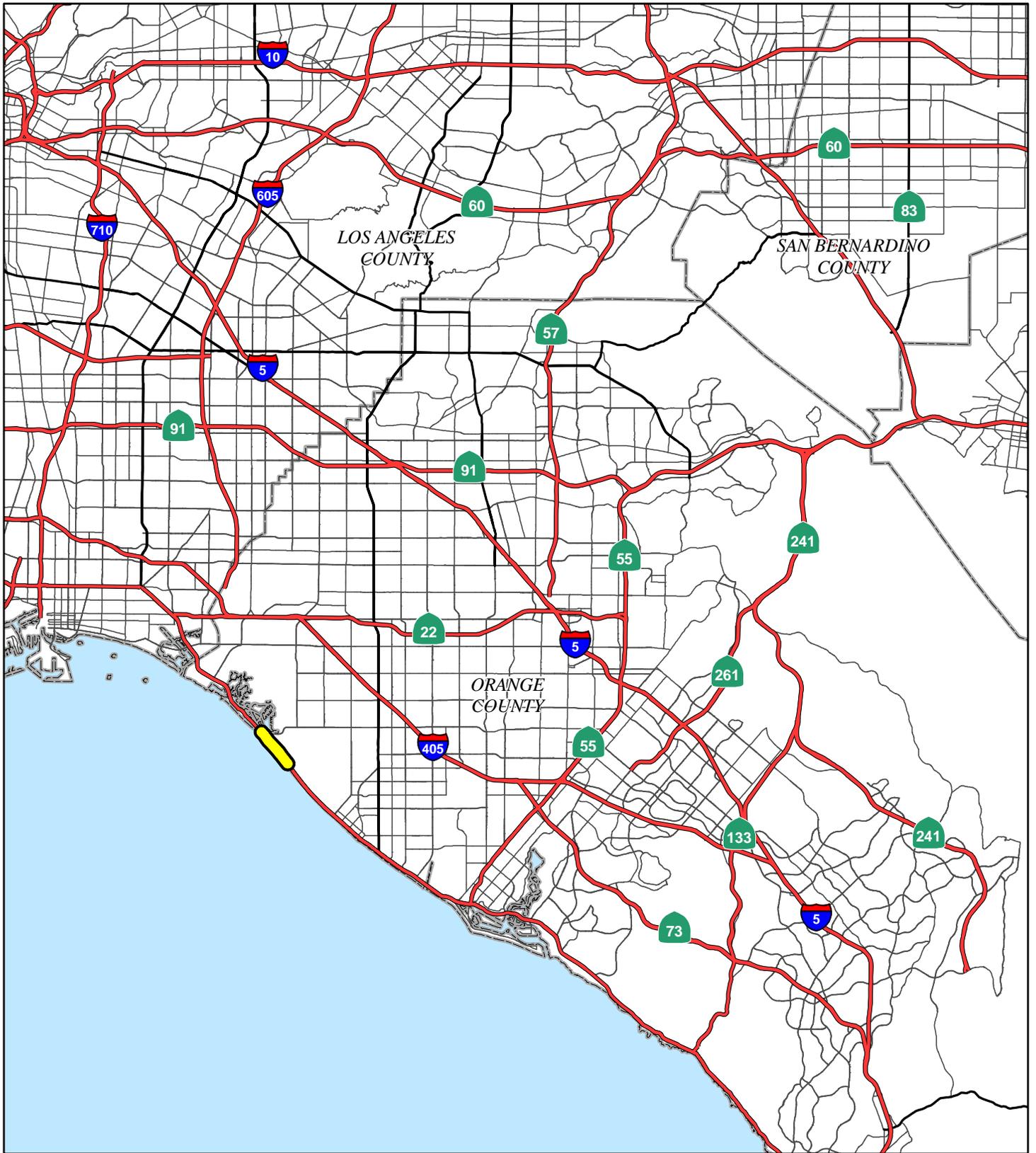


FIGURE 1

LEGEND
 Project Location



0 2.5 5
 Miles

SOURCE: Thomas Bros, (2007).

I:\CDT0901\GIS\Fig1_vicinity.mxd (6/26/2009)

*SR-1 Bolsa Chica Roadway Embankment
 Reconstruction Project*

Project Vicinity Map

12-ORA-1 PM 28.7/29.7
 EA 0K0100

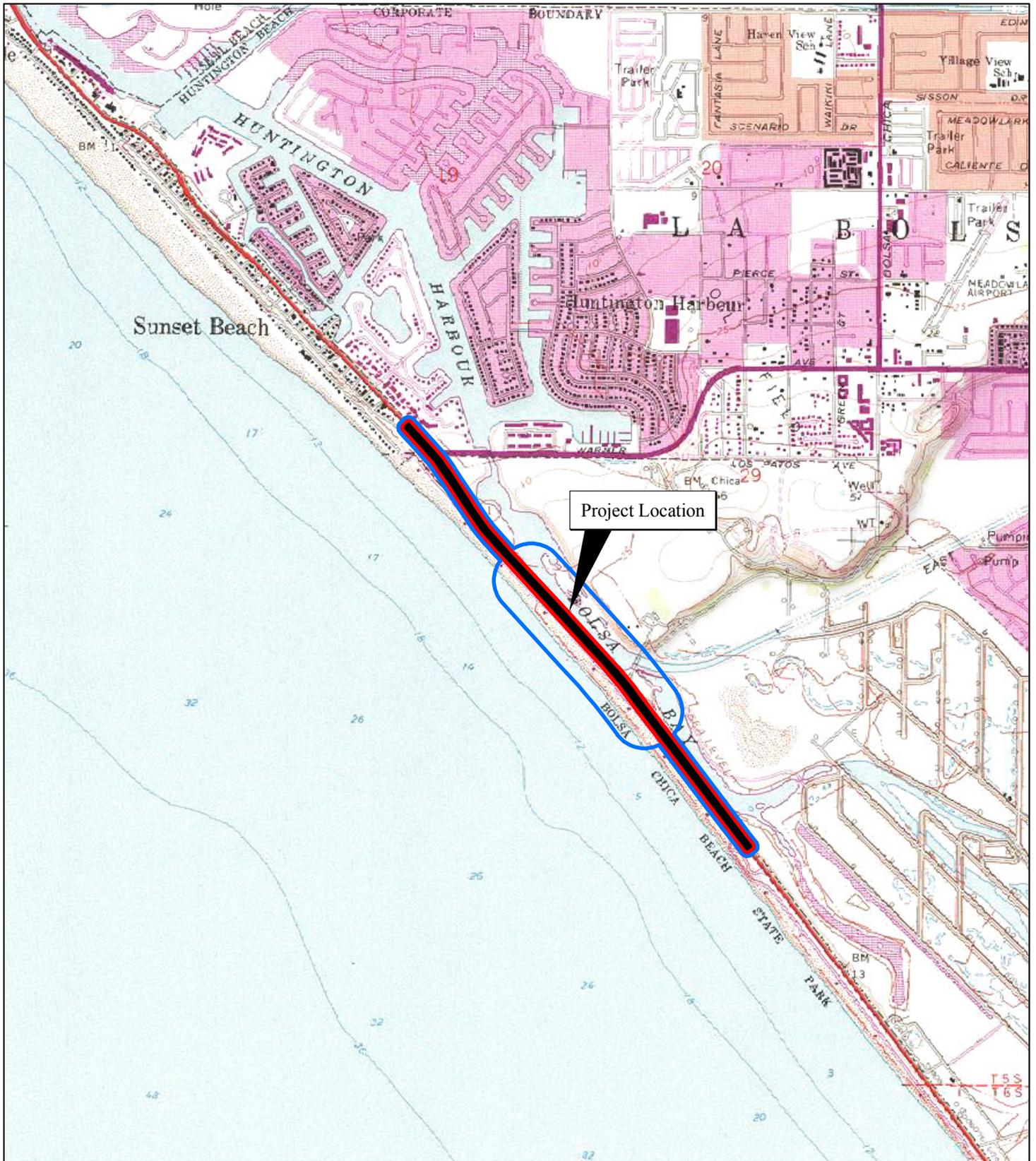
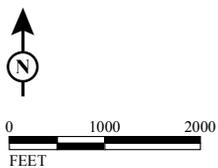


FIGURE 2

LEGEND

-  Project Location
-  Biological Study Area (BSA) (50' buffer)
-  Wildlife Survey Area (WSA) (500' buffer)



SOURCE: USGS 7.5' QUAD - SEAL BEACH (81); CALIF.

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*SR-1 Bolsa Chica Roadway Embankment
Reconstruction Project*

Project Location Map

12-ORA-1 PM 28.7/29.7

EA 0K0100

Chapter 2 – CEQA Checklist

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

This CEQA checklist identifies physical, biological, social and economic factors of the human environment that might be affected by the proposed project. The checklist achieves the important statutory goal of integrating the requirements of CEQA with the environmental requirements of other laws.

In many cases, background studies performed in connection with the projects indicate no environmental impacts. A “NO IMPACT” answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included directly after the cited environmental resource. The words “significant” and “significance” used throughout the following checklist are related to CEQA, not NEPA, impacts.

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.		
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.		
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.		
<input type="checkbox"/>	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.		
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to the earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.		
<table border="0" style="width: 100%;"> <tr> <td style="width: 70%; vertical-align: bottom;"> <p><i>Smita Deshpande</i> Signature</p> <p>Smita Deshpande Senior Environmental Planner District 12 Division of Environmental Analysis California Department of Transportation</p> </td> <td style="width: 30%; vertical-align: bottom;"> <p><i>April 14, 2010</i> Date</p> </td> </tr> </table>		<p><i>Smita Deshpande</i> Signature</p> <p>Smita Deshpande Senior Environmental Planner District 12 Division of Environmental Analysis California Department of Transportation</p>	<p><i>April 14, 2010</i> Date</p>
<p><i>Smita Deshpande</i> Signature</p> <p>Smita Deshpande Senior Environmental Planner District 12 Division of Environmental Analysis California Department of Transportation</p>	<p><i>April 14, 2010</i> Date</p>		

Chapter 2 – CEQA Checklist

2.1 Aesthetics

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.1.1 Discussion of Environmental Evaluation Question 2.1- Aesthetics

A Visual Impact Assessment (VIA) was completed for the proposed project on December 10, 2009 by a qualified District 12 Landscape Architect. The findings of the analyses concluded that no substantial impacts would be felt as a result of the proposed project. The proposed project is not within a designated state scenic highway; however SR-1 is eligible for designation. The emergency project completed the construction of the sheet pile wall which is not visible from the travel way. Only the MBGR and pedestrian safety cable rail, which are part of this project, will be visible resulting in a less than significant impact. The MBGR should be treated to minimize the shiny appearance of new guardrail to better blend in with the surrounding environment. There are no trees, rock outcroppings, or historic buildings within the project area of potential effects and therefore none of these resources would be affected. The VIA found that the existing visual character or quality of the site and its surroundings would be limited to a minor degradation of the visual environment. Light sources are not a component of this project; therefore no glare would be generated.

2.1.2 Avoidance, Minimization, and/or Mitigation Measures

The MBGR will be treated to have a natural appearance to blend with the surrounding environment.

Chapter 2 – CEQA Checklist

2.2 Agricultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

2.2.1 Discussion of Environmental Evaluation Question 2.2- Agricultural Resources

The subject property is the site of the existing Bolsa Chica Ecological Reserve and is mapped by the California of Conservation as wetland and riparian land. The surrounding areas are urbanized with a variety of land uses. The State of California does not recognize the land use for the project as having any agricultural significance. The land use would remain the same after project implementation; therefore the project could not result in conversion of farmland to non-agricultural use.

2.2.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

Chapter 2 – CEQA Checklist

2.3 Air Quality

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.3.1 Discussion of Environmental Evaluation Question 2.3- Air Quality

Project implementation is consistent with the long range plans adopted for the project site and would not obstruct implementation of the Air Quality Management Plan (AQMP) adopted for the South Coast Air Basin (SCAB). The project would be consistent with all of the policies and requirements established by that plan. No impacts to the AQMP are anticipated as a result of implementing the proposed project.

Currently, SCAB is in non-attainment status for ozone (O₃), particulate matter at or below ten microns (PM₁₀, PM_{2.5}) and carbon monoxide (CO) for the State (although Orange County is in attainment for CO). The construction of the proposed project would generate temporary pollutant emissions for activities in the construction of the MBGR and pedestrian safety cable rails, traffic generated by construction workers traveling to the project site, delivery and hauling of construction materials and supplies to and from the project site, and fuel combustion by on-site equipment. No pollutants other than PM₁₀ and PM_{2.5} are anticipated. Operation of the proposed project would not generate any mobile source emissions from vehicular traffic. Implementation of the Department's Standards and Procedures, which address this issue, would produce a finding of "No Impact".

The proposed project would adhere to standards set by the South Coast Air Quality Management District (SCAQMD) for construction and operational activities. The Department's Standard procedures contained in the plans and specifications for the

proposed project would ensure compliance with the SCAQMD Rule 403. Temporary construction can cause fugitive dust throughout the site, for activities that involve restoring the embankment, grading, transportation of materials, and operation of mobile heavy equipment.

The implementation of the project would not result in an increase in traffic and thus, would not expose sensitive receptors to substantial pollutant concentrations or generate any green house gas (GHG) emissions. Objectionable odors are not currently present within the project site or environs. Construction activities are not anticipated to emit significant odors.

Due to the nature of the proposed project and the fact that it is both project and regionally exempt per 40 CFR 93.126 determined that this project would have no effect or impact on greenhouse gases or climate change.

2.3.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

Chapter 2 – CEQA Checklist

2.4 Biological Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.4.1 Discussion of Environmental Evaluation Question 2.4- Biological Resources

A Natural Environment Study (NES) was prepared in August 2009 for the emergency project. The NES was amended in March 2010 and June 2010 to include the proposed project activities. Biological resource surveys were conducted that included focused plant surveys and a Jurisdictional Delineation (JD) to document existing conditions of biological resources within a 33.3-acre (ac) area surrounding and including the project area (hereafter referred to as the biological study area [BSA]). The BSA includes the 1.0-mile corridor and a 50-foot (ft) buffer extending into the Bolsa Chica Ecological Reserve and Bolsa Chica State Beach. Station numbers for the BSA extend from 199.5 on the northwest to 280.5 on the southeast. The BSA consists of nine vegetation community types, including native dune mat, estuarine wetland/open water, invaded dune mat, invaded ice plant dune mat, dune scrub, coastal scrub, bare ground, disturbed, and exotic annual grassland. Additionally, focused wildlife (burrowing owl and rail) surveys were conducted within a 500 ft buffer area of the project impact zone. This extended wildlife survey area includes the BSA, and is hereafter referred to as the wildlife survey area (WSA).

Chapter 2 – CEQA Checklist

Sensitive biological resources have been identified within and adjacent to the BSA. The California brown pelican (federal- and State-listed endangered), black skimmer, California least tern (federal- and State-listed endangered), and Belding's savannah sparrow (State-listed endangered) were observed during the focused surveys within the WSA. In addition, a light-footed clapper rail (federal- and State-listed endangered) was observed subsequent to the focused survey effort (Stoddard, email communication, July 14, 2009). Two California Native Plant Society (CNPS) 1B special-status plant species were observed within the BSA during focused special status plant surveys, including the estuary seablite (*Suaeda esteroa*) and coast woolly-heads (*Nemacaulis denudata* var. *denudata*). A formal JD survey determined that there is up to 0.14 ac of jurisdictional features within the project area, including wetland areas, subject to the jurisdiction of the California Coastal Commission (CCC), United States Army Corps of Engineers (Corps) and the Regional Water Quality Control Board (RWQCB).

Permits from regulatory agencies have been obtained by The Department for the emergency project. The CCC issued Emergency Permit No. 5-09-131-G on July 15, 2009, pursuant to the California Coastal Act. The Corps issued Regional General Permit No. 63 (RGP 63) (File # SPL-2009-005310SCH) for the emergency project on July 20, 2009, pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. The RWQCB water quality certification was covered by the Corps permit, pursuant to Section 401 of the CWA. The United States Fish and Wildlife Service (USFWS) authorized the project through informal Section 7 consultation with the Corps on July 20, 2009 (File # FWS-OR-09B0048-09F1004). A "may affect but not likely to adversely affect" determination was made by the USFWS regarding four species of special-status birds, including western snowy plover, California brown pelican, light-footed clapper rail, and California least tern. Although four State-listed bird species have been identified foraging on the site, neither a 2081 permit nor a concurrence letter will be necessary from the California Department of Fish and Game (CDFG) to authorize the project with regard to State listed wildlife species. CDFG representatives have made the determination that a 2081 permit would not be necessary (email correspondence, August 5, 2009). Belding's savannah sparrow (BSS) surveys were conducted prior to the start of the emergency work. A biological monitor was on-site for activities with the potential to impact any state or federally-listed species. A noise analysis was conducted with results stated in the Revised Final Biological Construction Monitoring and Impact Assessment Report (BCMIAR). A Streambed Alteration Agreement was also not necessary based on the survey findings of jurisdictional areas. Furthermore, the emergency status of the project qualified as being exempt from CEQA (<http://ceres.ca.gov/cequ/guidelines/art18.html>).

The addendum to the NES (March 2010) was prepared to include the installation of the pedestrian safety cable rails and metal beam guard rails to protect the motoring, cycling, and pedestrian public. The Addendum to the NES describes all permanent and temporary impacts from implementation of the proposed project. The changes to total project-related impacts to existing vegetation communities associated with the proposed project include: (1) an increase of 0.005 acre (ac) of permanent impacts to the estuarine wetland/open water vegetation community due to installation of the MBGR; (2) an

increase of 0.004 ac of temporary impacts to the estuarine wetland/open water vegetation community due to installation of a temporary crash cushion; (3) a reduction of 0.458 ac of permanent impacts to existing roads during construction of the original emergency project; and (4) a reduction of 3.505 ac of temporary impacts to existing roads during construction of the original emergency project.

There are no changes to project-related impacts to waters of the United States due to the proposed project.

The changes to total project-related impacts to CCC jurisdiction associated with the proposed project include: (1) an increase of 0.016 ac of permanent impacts to CCC wetlands due to installation of the MBGR; and (2) an increase of 0.005 ac of temporary impacts to CCC wetlands due to the proposed installation of a temporary crash cushion. No other appreciable changes to biological resources would occur as a result of the proposed project.

Addendum No.2 to the NES (June 2010) discusses the potential impacts to migratory and nesting birds within the proposed project area. To avoid disturbance to migratory birds, construction will be completed prior to March 1, 2011. However, if construction occurs after March 1, preconstruction nesting bird surveys within 300 ft of the construction work area shall be conducted by a qualified biologist at least 30 days prior to disturbance of any suitable nesting habitat. Surveys shall be conducted weekly, with the last survey completed no more than 3 days prior to the start of construction. If a nest is found, construction activities within 300 ft of the nest will be postponed until the nest has been vacated, juveniles have fledged, and there is no evidence of additional nest attempts. A qualified biologist shall be on site to serve as biological monitor during vegetation clearing, grading, and construction activities for the project to ensure that no take occurs.

2.4.2 Avoidance, Minimization, and/or Mitigation Measures

The following minimization measures will be implemented to address potential impacts:

1. To avoid disturbance to migratory birds, construction will be completed prior to March 1, 2011. However, if construction occurs after March 1, preconstruction nesting bird surveys within 300 ft of the construction work area shall be conducted by a qualified biologist at least 30 days prior to disturbance of any suitable nesting habitat.
2. Surveys shall be conducted weekly, with the last survey completed no more than 3 days prior to the start of construction.
3. If a nest is found, construction activities within 300 ft of the nest will be postponed until the nest has been vacated, juveniles have fledged, and there is no evidence of additional nest attempts.
4. A qualified biologist shall be on site to serve as biological monitor during vegetation clearing, grading, and construction activities for the project to ensure that no take occurs.

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5. Under the supervision of the biological monitor, bright orange plastic construction fencing, stakes, flags, or markers that are clearly visible to personnel on foot and in heavy equipment shall be used as limits to avoid any nests in areas of grading, staging, and avoidance for the proposed project.

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2.5 Cultural Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.5.1 Discussion of Environmental Evaluation Question 2.5- Cultural Resources

There are no discovered unique geologic features. Therefore, no substantial adverse change in the significance of a historical, archaeological, paleontological, geologic feature, or human remains resource would occur. However, if cultural remains are discovered in or adjacent to the Department’s Right of Way during excavation and/or construction activities, all earth moving activity within and around the site area must be diverted until a qualified Department Archaeologist can assess the significance of the find.

2.5.2 Avoidance, Minimization, and/or Mitigation Measures

If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The County Coroner must be notified of the find to ascertain the origin and disposition, pursuant to Public Resources Code Section 5097.98.

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2.6 Geology and Soils

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste-water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.6.1 Discussion of Environmental Evaluation Question 2.6- Geology and Soils

The project is located within Southern California, a region with numerous smaller and several major faults. The project site is not located within the Alquist-Priolo Earthquake Fault Zoning Act (APEFZA) and the risk of surface rupture affecting the site is very low. The controlling fault for the area is the Newport Inglewood Fault and is located .07 miles away from the project site. The fault is capable of generating earthquakes with a maximum credible earthquake (MCE) magnitude of 7.0. Ground shaking, liquefaction, landslides, and the associated lateral spreading could be triggered by major seismic events on the site; however it is not likely to be created by the project construction itself. Therefore, project implementation would not increase this risk; and no new impacts relative to geology and soils would occur.

2.6.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

2.7 Hazards and Hazardous Materials

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires; including where wildlands are adjacent to urbanized areas, or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.7.1 Discussion of Environmental Evaluation Question 2.7- Hazards and Hazardous Materials

The project does not require the use, transport or disposal of hazardous materials. The project area is not located on any site included on any listings for hazardous materials site. The project is located away from residences and/or people so there would be no risk to persons or property by project activities.

2.7.1 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.8 Hydrology and Water Quality

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map, or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area, structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding; including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.8.1 Discussion of Environmental Evaluation Question 2.8- Hydrology and Water Quality

The project is located adjacent to the Bolsa Chica Ecological Reserve and the receiving water body is the outer Bolsa Bay under the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB). The receiving water body (Bolsa Bay) is not on the 2006 Clean Water Act Section 303(d) list of water quality limited

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segmented requiring Total Daily Maximum Loads (TDML). There may be the potential for temporary impacts during construction with the installation of metal beam guardrail adjacent to the receiving water body.

The project will be subject to the National Pollutant Discharge Elimination System (NPDES) permit for Storm Water Discharges from the State of California, Department of Transportation (Caltrans) Properties, Facilities and Activities (Order No. 99-06-DWQ, NPDES No. CAS000003) and the NPDES Permit for Storm Water Discharges Associated with Construction Activity (Order No. 2009-009-DWQ, NPDES No. CAS000002) or subsequent permits in effect at the time of construction. The contractor will prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) to comply with the General Construction Permit. The SWPPP will identify and implement appropriate Best Management Practices (BMPs) to avoid and minimize impacts to water quality. BMPs identified in the SWPPP will include but are not limited to linear sediment barriers (gravel bag berms, silt fence, fiber rolls, check dams, street sweeping, drain inlet protection, etc.), silt curtain, tracking control, non-storm water management BMPs (vehicle and equipment maintenance, pile driving operations), and waste management and materials pollution control BMPs (spill control, stockpile management, concrete waste management).

The project will not increase any impervious surface such as adding a roadway lane thus no additional sources of polluted runoff will be created as a result of the project. Temporary impacts from construction will be avoided or minimized with the implementation of the SWPPP and the selected BMPs. The project will not contribute runoff that will exceed the capacity of the existing storm drainage systems. The proposed project would not increase the possibility for seiche, tsunami or mudflow in the project vicinity.

The proposed project is located within the 100-year floodplain. However, no housing is planned as part of the proposed project, and as such would not create a flood concern. The structures proposed for the project are to replace the existing embankment and would therefore not impede or redirect flood flows.

2.8.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required; however, the following avoidance and/or minimization measures will be implemented to minimize potential impacts:

WQ-1

The project will comply with the provisions of the *Department Statewide NPDES Permit* (Order No. 99-06-DWQ, NPDES No. CAS00003) and the *NPDES General Permit, Water Discharge Requirements (WDRs) for Discharges of Storm Water Runoff Associated with Construction Activities* (Order No. 2009-0009-DWQ, NPDES No. CAS000002) and any subsequent permit in effect at the time of construction

WQ-2

A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented to address all construction-related activities, equipment, and materials that have the potential impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-storm water BMPs. All construction site BMPs shall follow the latest edition of the *Storm Water Quality Handbooks, Project Planning and Design Guide* (Caltrans, 2007) All work must conform to the Construction Site BMPs requirements specified in the latest edition of the *Storm Water Quality Handbooks, Project Planning and Design Guide* (Caltrans, 2007) to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-storm water BMPs.

WQ-3

Design Pollution Prevention Best Management Practices (BMPs) shall be implemented such as preservation of existing vegetation, slope/ surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes and swales, overside drains, flared end sections, and outlet protection/ velocity dissipation devices.

WQ-4

Construction site dewatering must conform to the General Waste Discharge Requirements for Discharges to Surface Waters That Pose an Insignificant (DE MINIMUS) Threat to Water Quality (Order No. R8-2009-0003, National Pollutant Discharge Elimination System No. CAG998001), and any subsequent updates to this permit at the time of construction. Dewatering BMPs must be used to control sediments and pollutants and the discharges must comply with the Waste Discharge Requirements (WDRs) issued by the Santa Ana RWQCB.

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2.9 Land Use and Planning

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.9.1 Discussion of Environmental Evaluation Question 2.9- Land Use and Planning

The project proposes to complete the emergency project by installing pedestrian safety cable rails and metal beam guard rails to protect the motorists, cyclists, and pedestrian public.

There are no project components proposed that would physically divide an established community. All current access for motorized vehicles and pedestrians would remain in use. Land use designations around the project area will remain the same. The project area is not located within or near an established Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP) designated area. Therefore, no impacts would occur as a result of project implementation.

This project is in the coastal zone. The Coastal Zone Management Act of 1972 (CZMA) is the primary federal law enacted to preserve and protect coastal resources. The CZMA sets up a program under which coastal states are encouraged to develop coastal management programs. States with an approved coastal management plan are able to review federal permits and activities to determine if they are consistent with the state's management plan.

California has developed a coastal zone management plan and has enacted its own law, the California Coastal Act of 1976, to protect the coastline. The policies established by the California Coastal Act are similar to those for the CZMA; they include the protection and expansion of public access and recreation, the protection, enhancement and restoration of environmentally sensitive areas, protection of agricultural lands, the protection of scenic beauty, and the protection of property and life from coastal hazards. The California Coastal Commission is responsible for implementation and oversight under the California Coastal Act.

2.9.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.10 Mineral Resources

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
X. MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.10.1 Discussion of Environmental Evaluation Question 2.10- Mineral Resources

Since there are no mineral resources recovery sites delineated of local importance in the city of Huntington Beach, there would be no loss of availability. Thus, no impacts would occur as a result of project implementation.

2.10.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.11 Noise

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XI. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.11.1 Discussion of Environmental Evaluation Question 2.11- Noise

This is not a Type 1 project. A less than significant increase in temporary construction related noise levels and ground borne vibration is anticipated with project implementation. Due to the remote location (i.e. no sensitive receptors in the area) of the project site and the level of traffic noise emanating from the highway, any noise generated during construction activities would be considered negligible.

2.11.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.12 Population and Housing

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.12.1 Discussion of Environmental Evaluation Question 2.12- Population and Housing

No new development or housing displacement would occur, and the project would not induce growth or cause displacements.

2.12.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.13 Public Services

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES:				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.13.1 Discussion of Environmental Evaluation Question 2.13- Public Services

The proposed project does not involve the altering or expansion of any public/government facilities that provide public services such as fire or police protection, education, parks or other public facilities. Therefore no impacts to public services would occur.

2.13.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.14 Recreation

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. RECREATION:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities, such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.14.1 Discussion of Environmental Evaluation Question 2.14- Recreation

The project is located between the Bolsa Chica Ecological Reserve and Bolsa Chica State Park and will not increase the use of existing neighborhood and regional parks or other recreational facilities. The proposed project does not include recreational facilities or the construction or expansion of recreational facilities.

2.14.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.15 Transportation and Traffic

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XV. TRANSPORTATION/TRAFFIC: Would the project:				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.15.1 Discussion of Environmental Evaluation Question 2.15- Transportation and Traffic

The proposed project would not increase traffic, either in terms of capacity or vehicle trips. As a result the level of service would be unaffected. The proposed project does not include any modifications to air traffic patterns. The purpose of the proposed project is to increase safety along Pacific Coast Highway by repairing a portion of roadway embankment that has begun to fail. All design features will be constructed to increase safety and reduce hazards to the traveling public both motorized and pedestrian and are compatible with surrounding land uses. Emergency access to and through the project area would not be impacted, and parking capacity would remain untouched. Temporary construction impacts would require the inclusion of a TMP (Traffic Management Plan) to offset any lane closures or detours that are required during construction. The proposed project is consistent with all applicable planning documents at the Local, Regional, and State levels.

2.15.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.16 Utilities and Service Systems

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.16.1 Discussion of Environmental Evaluation Question 2.16- Utilities and Service Systems

The project does not include activities that would alter, create or impact any utilities or services. The project does not exceed wastewater treatment requirements of the Regional Water Quality Control Board. No new water or wastewater treatment facilities will be constructed as a result of this project. No new storm water drainage facilities or expansion are proposed. The proposed project complies with all federal, state and local statutes and regulations related to solid waste.

2.16.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

2.17 Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal; or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2.17.1 Discussion of Environmental Evaluation Question 2.17- Mandatory Findings of Significance

- a) Project implementation would not degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
- b) As the project does not have any individually significant impacts it would not add cumulatively to any impacts by other surrounding projects. In addition there are not other recently completed or programmed/planned projects within the vicinity that would contribute to the impacts cumulatively.
- c) The project will not cause any direct or indirect adverse effects on human beings. The project site is located away from residential areas and does not include any expansion of the current use of the facility.

2.17.3 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

CLIMATE CHANGE (CEQA)

Regulatory Setting

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. These efforts are primarily concerned with the emissions of GHG related to human activity that include carbon dioxide (CO₂), methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (s, s, s, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with GHG emissions and climate change at the state level. Assembly Bill 1493 requires the California Air Resources Board (CARB) to develop and implement regulations to reduce automobile and light truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year; however, in order to enact the standards California needed a waiver from the U.S. Environmental Protection Agency (EPA). The waiver was denied by EPA in December 2007. See *California v. Environmental Protection Agency*, 9th Cir. Jul. 25, 2008, No. 08-70011. However, on January 26, 2009, it was announced that EPA will reconsider their decision regarding the denial of California's waiver. On May 18, 2009, President Obama announced the enactment of a 35.5 mpg fuel economy standard for automobiles and light duty trucks which will take effect in 2012. This standard is the same standard that was proposed by California, and so the California waiver request has been shelved.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this Executive Order is to reduce California's GHG emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team.

With Executive Order S-01-07, Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this executive order, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by 2020.

Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the U.S.

Environmental Protection Agency (EPA) to regulate GHG as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007)). The court ruled that GHG does fit within the Clean Air Act's definition of a

pollutant, and that the EPA does have the authority to regulate GHG. Despite the Supreme Court ruling, there are no promulgated federal regulations to date limiting GHG emissions.

According to Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate change in CEQA Documents (March 5, 2007), an individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG. In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable.” See CEQA Guidelines sections 15064(i)(1) and 15130. To make this determination the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects in order to make this determination is a difficult if not impossible task.

As part of its supporting documentation for the Draft Scoping Plan, CARB recently released an updated version of the GHG inventory for California (June 26, 2008). Shown below is a graph from that update that shows the total GHG emissions for California for 1990, 2002-2004 average, and 2020 projected if no action is taken.

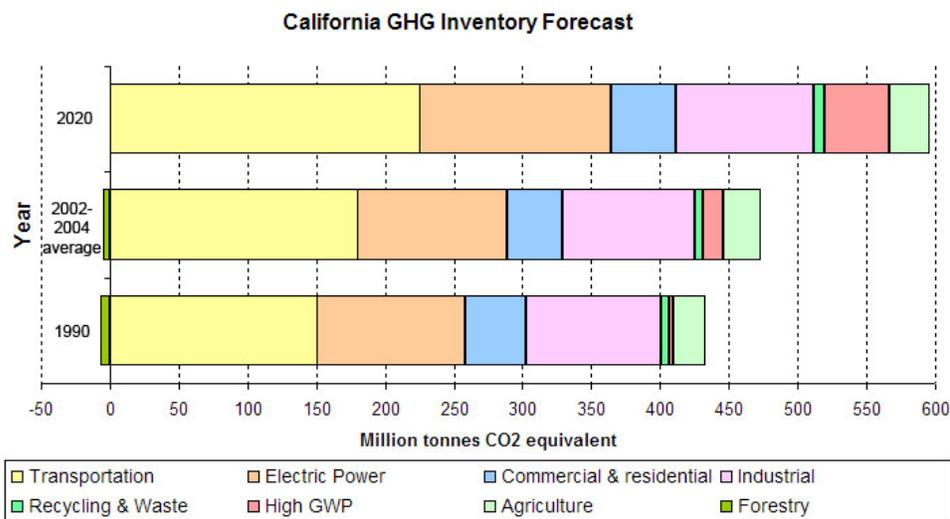
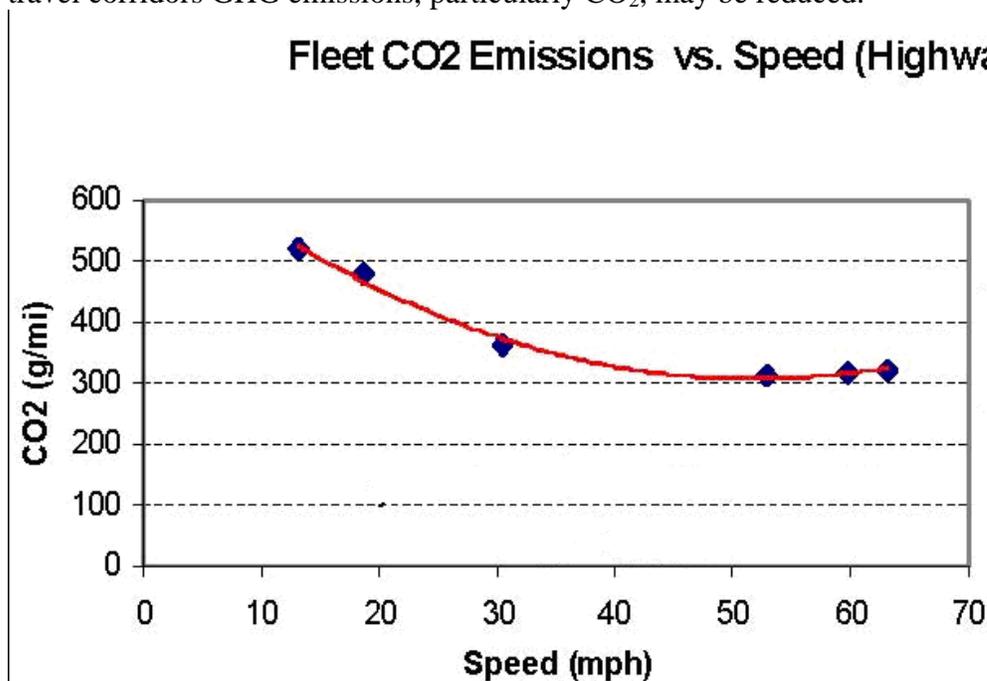


FIGURE 3 CALIFORNIA GREENHOUSE GAS INVENTORY

Taken from : <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>

The Department and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing GHG emission reduction and climate change. Recognizing that 98 percent of California’s GHG emissions are from the burning of fossil fuels and 40 percent of all human made GHG emissions are from transportation (see Climate Action Program at Caltrans (December 2006), The Department has created and is implementing the Climate Action Program at Caltrans that was published in December 2006. This document can be found at: <http://www.dot.ca.gov/docs/ClimateReport.pdf>

One of the main strategies in the Department’s Climate Action Program to reduce GHG emissions is to make California’s transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0-25 miles per hour) and speeds over 55 mph; the most severe emissions occur from 0-25 miles per hour (see Figure below). To the extent that a project relieves congestion by enhancing operations and improving travel times in high congestion travel corridors GHG emissions, particularly CO₂, may be reduced.



Source: Center for Clean Air Policy— [http://www.ccap.org/Presentations/Winkelman%20TRB%202004%20\(1-13-04\).pdf](http://www.ccap.org/Presentations/Winkelman%20TRB%202004%20(1-13-04).pdf)

Construction Emissions

GHG emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

AB 32 Compliance

The Department continues to be actively involved on the Governor’s Climate Action Team as CARB works to implement the Governor’s Executive Orders and help achieve the targets set forth in AB 32. Many of the strategies The Department is using to help

meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year. Governor Arnold Schwarzenegger’s Strategic Growth Plan calls for a \$238.6 billion infrastructure improvement program to fortify the state’s transportation system, education, housing, and waterways, including \$100.7 billion in transportation funding through 2016.¹ As shown on the figure below, the Strategic Growth Plan targets a significant decrease in traffic congestion below today’s level and a corresponding reduction in GHG emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together yield the promised reduction in congestion. The Strategic Growth Plan relies on a complete systems approach of a variety of strategies: system monitoring and evaluation, maintenance and preservation, smart land use and demand management, and operational improvements.

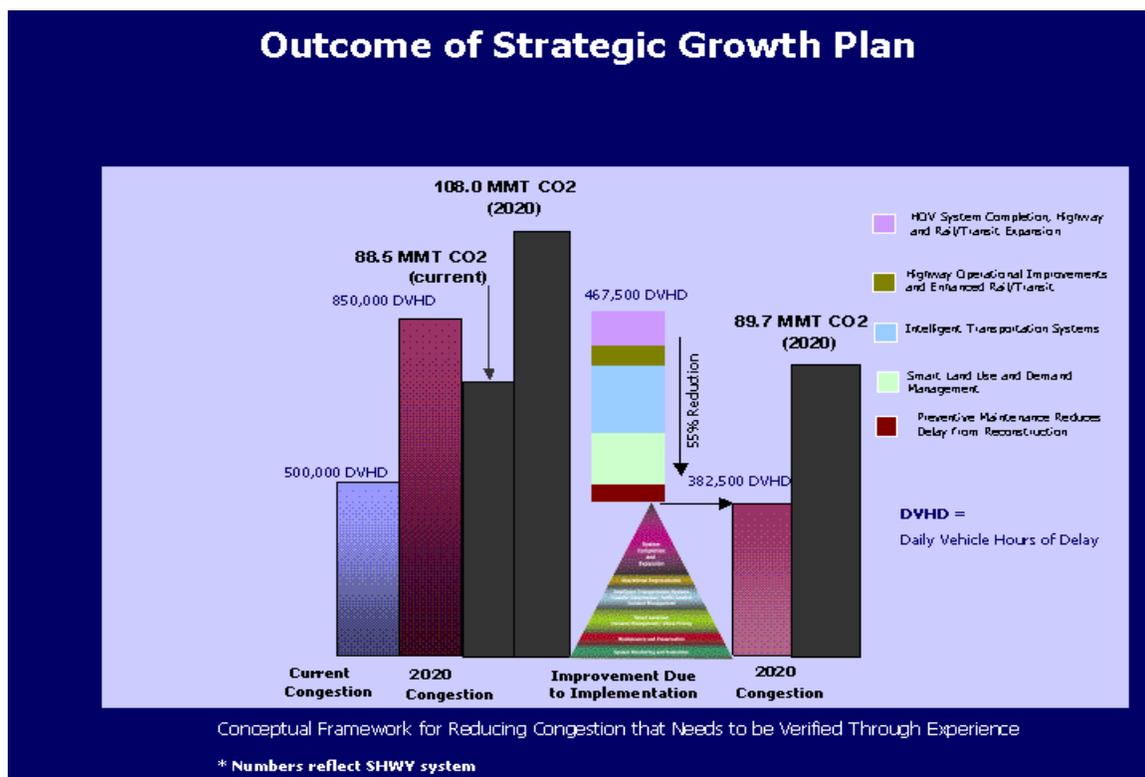


Figure 3-2 Outcome of Strategic Growth Plan

As part of the Climate Action Program at Caltrans (December 2006, <http://www.dot.ca.gov/docs/ClimateReport.pdf>), Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. The Department is working closely with local jurisdictions on planning activities; however, The Department does not have local land use planning authority. The Department is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and heavy-duty trucks; The Department is doing this by supporting on-going

¹ Governor’s Strategic Growth Plan, Fig. 1 (<http://gov.ca.gov/pdf/gov/CSGP.pdf>)

Chapter 3 – CLIMATE CHANGE

research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by EPA and CARB.

Lastly, the use of alternative fuels is also being considered; the Department is participating in funding for alternative fuel research at the UC Davis.

Table 1 summarizes the Department and statewide efforts that The Department is implementing in order to reduce GHG emissions. For more detailed information about each strategy, please see Climate Action Program at Caltrans (December 2006); it is available at <http://www.dot.ca.gov/docs/ClimateReport.pdf>

Table 1 Climate Change Strategies

Strategy	Program	Partnership		Method/Process	Estimated CO ₂ Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review (IGR)	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	0.975	7.8
Operational Improvements & Intelligent Trans. System (ITS) Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	.007	2.17
Mainstream Energy & GHG into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, CalEPA, CARB, CEC		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated
Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services		Fleet Replacement B20 B100	0.0045	0.0065 0.45 .0225

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Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team	Energy Conservation Opportunities	0.117	.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries	2.5 % limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix	1.2 .36	3.6
Goods Movement	Office of Goods Movement	Cal EPA, CARB, BT&H, MPOs	Goods Movement Action Plan	Not Estimated	Not Estimated
Total				2.72	18.67

Adaptation Strategies

“Adaptation strategies” refer to how the Department and others can plan for the effects of climate change on the state’s transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damaging roadbeds by longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

Climate change adaption must also involve the natural environment as well. Efforts are underway on a statewide-level to develop strategies to cope with impacts to habitat and biodiversity through planning and conservation. The results of these efforts will help California agencies plan and implement mitigation strategies for programs and projects.

On November 14, 2008, Governor Schwarzenegger signed Executive Order S-13-08 which directed a number of state agencies to address California’s vulnerability to sea level rise caused by climate change.

The California Resources Agency (now the Natural Resources Agency, (Resources Agency)), through the interagency Climate Action Team, was directed to coordinate with local, regional, state and federal public and private entities to develop a state Climate Adaptation Strategy. The Climate Adaptation Strategy will summarize the best known science on climate change impacts to California, assess California's vulnerability to the identified impacts and then outline solutions that can be implemented within and across state agencies to promote resiliency.

As part of its development of the Climate Adaptation Strategy, Resources Agency was directed to request the National Academy of Science to prepare a *Sea Level Rise Assessment Report* by December 2010 to advise how California should plan for future sea level rise. The report is to include:

- relative sea level rise projections for California, taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge and land subsidence rates;
- the range of uncertainty in selected sea level rise projections;
- a synthesis of existing information on projected sea level rise impacts to state infrastructure (such as roads, public facilities and beaches), natural areas, and coastal and marine ecosystems;
- a discussion of future research needs regarding sea level rise for California.

Furthermore Executive Order S-13-08 directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to

Chapter 3 – CLIMATE CHANGE

sea level affecting safety, maintenance and operational improvements of the system and economy of the state. The Department continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Prior to the release of the final Sea Level Rise Assessment Report, all state agencies that are planning to construct projects in areas vulnerable to future sea level rise were directed to consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. However, all projects that have filed a Notice of Preparation, and/or are programmed for construction funding the next five years (through 2013), or are routine maintenance projects as of the date of Executive Order S-13-08 may, but are not required to, consider these planning guidelines. Sea level rise estimates should also be used in conjunction with information regarding local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge and storm wave data. (Executive Order S-13-08 allows some exceptions to this planning requirement.)

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. The Department is an active participant in the efforts being conducted as part of Governor's Schwarzenegger's Executive Order on Sea Level Rise and is mobilizing to be able to respond to the National Academy of Science report on *Sea Level Rise Assessment* which is due to be released by December 2010. Currently, the Department is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for relative sea level rise and other climate change impacts, the Department has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, the Department will be able review its current design standards to determine what changes, if any, may be warranted in order to protect the transportation system from sea level rise.

This project will complete the emergency project by protecting the traveling public, cyclists, and pedestrian public by installing metal beam guard rails and pedestrian safety cable rails. The project in itself would not increase traffic, either in terms of capacity or vehicle trips. As a result, there would be no increases in the VMT. For reasons as stated above, this project would not individually or cumulatively add to GHG emissions and hence would result in low- to no-potential for climate change impacts.

To the extent that it is applicable or feasible for the project and through coordination with the project development team, the following measure will be included in the project to reduce cumulative GHG emissions although this although this project would have low to no potential climate change impacts:

1. According to The Department's Standard Specification Provisions, idling time for lane closure during construction is restricted to ten minutes in each direction; in

Chapter 3 – CLIMATE CHANGE

addition, the contractor must comply with Monterey Bay Unified Air Pollution Control District's rules, ordinances, and regulations in regards to air quality restrictions.

Chapter 4 – COORDINATION AND COMMENTS

Coordination with Resource Agencies

California Coastal Commission
California Department of Fish and Game
Regional Water Quality Control Board
US Army Corps of Engineers
US Fish and Wildlife Service

Circulation

This draft IS/ND was circulated to regional and local agencies to provide opportunity for their comments. The document was also available for review at local area libraries, Huntington Beach Library and Cultural Center 7111 Talbert Ave, Huntington Beach, CA; Helen Murphy Branch Library, 15882 Graham St, Huntington Beach, CA; and at the Caltrans, District 12 Office. You may also view the document along with all technical studies at http://www.dot.ca.gov/dist12/docs/SR1_IS.htm.

The review period began on April 22, 2010 and ended May 21, 2010. A public notice was circulated during this time through the Orange County Register and Huntington Beach's "The Wave" to inform the public of its availability and to offer opportunity for a public hearing. The public notices are included as Appendix C.

Comments Received During IS/Proposed ND Review Period and Responses to Comments

Comments were received from The Department of Fish and Game during the IS/Proposed ND review period. No requests for a public hearing were received. All comments received during the IS/Proposed ND review period and the responses to comments are included in Appendix D.

Chapter 5– List of Preparers

- Smita Deshpande, Branch Chief, Environment Planning, Branch A
- Jonathan Wright, Associate Environmental Planner, Prehistoric Archaeology
- Scott Shelley, Associate Environmental Planner, Generalist
- Gabriela Jauregui, Environmental Planner, Generalist
- Arianne Preite, Associate Environmental Planner, Biology
- Nooshin Yosefi, Project Manager
- Andrew Oshrin, Branch Chief, Design
- Nushzad Nikpour, Project Engineer, Design
- Ronald Wong, Project Engineer, Landscape Architecture
- Hector Salas, Associate Environmental Planner, Water Quality
- Chris Flynn, Chief, Environmental Planning, Branch C
- LSA Associates, Inc., Biological Consultant

Chapter 6– Distribution List

| The Initial Study was distributed to local and regional agencies through the Office of Planning and Research.

Office of Planning and Research (OPR)

State Clearinghouse

1400 Tenth Street

Sacramento, CA 95814

Chapter 7 – References

Natural Community Conservation Planning (NCCP). (<http://www.dfg.ca.gov/habcon/nccp/>)

City of Huntington Beach, California. General Plan.

(<http://www.huntingtonbeachca.gov/Government/Departments/Planning/gp/index.cfm>)

Appendix A - Title VI Policy Statement

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE DIRECTOR

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

PHONE (916) 654-5266

FAX (916) 654-6608

TTY (916) 653-4086

*Flex your power!
Be energy efficient!*

August 25, 2009

**TITLE VI
POLICY STATEMENT**

The California State Department of Transportation under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person in the State of California shall, on the grounds of race, color, national origin, sex, disability, or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity it administers.

A handwritten signature in blue ink that reads "Randell H. Iwasaki".

RANDELL H. IWASAKI

Director

Appendix B- Environmental Commitment Record

ENVIRONMENTAL COMMITMENT RECORD

Dist-County-EA-PM

12-ORA-1

EA 0L2900

Originating date 3/17/2010
 Current date: 8/24/2010
 ECR Last revised date: 6/30/2010

Document Type

Initial Study/Negative Declaration

POST MILE: 28.7-29.7

PROJECT DESCRIPTION: proposes to complete the emergency project by protecting motorists, cyclists, and the pedestrian public by installing pedestrian safety rails and metal beam guard rails along State Route 1, also known as Pacific Coast Highway (PCH), in the city of Huntington Beach, Orange County, California. The project is needed because this segment of PCH is subject to landslides, erosion, and flooding during storms with high tide conditions. The project will install approximately 495 feet of pedestrian safety cable railing adjacent to the wall and approximately 538 feet of metal beam guard rail (MBGR) to increase traffic safety for the motorist, cycling, and pedestrian public. Prior to the installation of the pedestrian cable rail and the MBGR, removal of existing temporary concrete barrier railing (type K) and its underlying asphalt concrete (AC) strip shall be completed.

PROJECT PHASE	PSR
	PROJECT REPORT
	35% PS&E
	65% PS&E
	95% PS&E
	PRECONSTRUCTION
	CONSTRUCTION
	POST CONSTRUCTION

ENVIRONMENTAL GENERALIST: Gabriela Jauregui
949-724-2701

RESIDENT ENGINEER:

ENVIRONMENTAL LIAISON:

ENVIRONMENTAL COMMITMENTS

NO.	DESCRIPTION OF COMMITMENT	NSSP Y/N	RESPONSIBLE PARTY/MONITOR	TIMING/PHASE	TASK COMPLETED (Sign and Date)	COMMITMENT SOURCE	COMMENTS
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AESTHETICS

1	MBGR shall be treated to have a natural appearance to blend with the surrounding environment.	Y	RE	Construction		VIA	
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ENVIRONMENTAL COMMITMENTS

NO.	DESCRIPTION OF COMMITMENT	NSSP Y/N	RESPONSIBLE PARTY/MONITOR	TIMING/PHASE	TASK COMPLETED (Sign and Date)	COMMITMENT SOURCE	COMMENTS
STORMWATER							
1	The project will comply with the provisions of the Department Statewide NPDES Permit (Order No. 99-06-DWQ, NPDES No. CAS00003) and the NPDES General Permit, Water Discharge Requirements (WDRs) for Discharges of Storm Water Runoff Associated with Construction Activities (Order No. 2009-009-DWQ, NPDES No. CAS000002) and any subsequent permit in effect at the time of construction	N	RE	Construction		WQ Report	
2	A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and implemented to address all construction-related activities, equipment, and materials that have the potential impact water quality. The SWPPP shall identify the sources of pollutants that may affect the quality of storm water and include BMPs to control the pollutants, such as sediment control, catch basin inlet protection, construction materials management and non-storm water BMPs. All construction site BMPs shall follow the latest edition of the Storm Water Quality Handbooks, Project Planning and Design Guide (Caltrans, 2007) All work must conform to the Construction Site BMPs requirements specified in the latest edition of the Storm Water Quality Handbooks, Project Planning and Design Guide (Caltrans, 2007) to control and minimize the impacts of construction and construction related activities, material and pollutants on the watershed. These include, but are not limited to temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling, and other non-storm water BMPs.	N	RE	Construction		WQ Report	

ENVIRONMENTAL COMMITMENTS

NO.	DESCRIPTION OF COMMITMENT	NSSP Y/N	RESPONSIBLE PARTY/MONITOR	TIMING/PHASE	TASK COMPLETED (Sign and Date)	COMMITMENT SOURCE	COMMENTS
3	Design Pollution Prevention Best Management Practices (BMPs) shall be implemented such as preservation of existing vegetation, slope/ surface protection systems (permanent soil stabilization), concentrated flow conveyance systems such as ditches, berms, dikes and swales, overside drains, flared end sections, and outlet protection/ velocity dissipation devices.	N	RE	Construction		WQ Report	
4	Construction site dewatering must conform to the General Waste Discharge Requirements for Discharges to Surface Waters That Pose an Insignificant (DE MINIMUS) Threat to Water Quality (Order No. R8-2009-0003, National Pollutant Discharge Elimination System No. CAG998001), and any subsequent updates to this permit at the time of construction. Dewatering BMPs must be used to control sediments and pollutants and the discharges must comply with the Waste Discharge Requirements (WDRs) issued by the Santa Ana RWQCB	N	RE	Construction		WQ Report	

BIOLOGY

1	To avoid disturbance to migratory birds, construction will be completed prior to March 1, 2011. However, if construction occurs after March 1, preconstruction nesting bird surveys within 300 ft of the construction work area shall be conducted by a qualified biologist at least 30 days prior to disturbance of any suitable nesting habitat.	Y	RE/Biologist	Pre-Construction		IS/ND	
2	Surveys shall be conducted weekly, with the last survey completed no more than 3 days prior to the start of construction.	Y	Biologist	Pre-Construction		IS/ND	

ENVIRONMENTAL COMMITMENTS

NO.	DESCRIPTION OF COMMITMENT	NSSP Y/N	RESPONSIBLE PARTY/MONITOR	TIMING/PHASE	TASK COMPLETED (Sign and Date)	COMMITMENT SOURCE	COMMENTS
3	If a nest is found, construction activities within 300 ft of the nest will be postponed until the nest has been vacated, juveniles have fledged, and there is no evidence of additional nest attempts.	Y	RE/Biologist	Construction		IS/ND	
4	A qualified biologist shall be on site to serve as biological monitor during vegetation clearing, grading, and construction activities for the project to ensure that no take occurs.	Y	Biologist	Construction		IS/ND	
5	Under the supervision of the biological monitor, bright orange plastic construction fencing, stakes, flags, or markers that are clearly visible to personnel on foot and in heavy equipment shall be used as limits to avoid any nests in areas of grading, staging, and avoidance for the proposed project.	Y	Biologist	Construction		IS/ND	

AIR QUALITY

NA							
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CULTURAL

1	If human remains are discovered, State Health and Safety Code Section 7050.5 states that disturbances and activities shall cease. The County Coroner must be notified of the find to ascertain the origin and disposition, pursuant to Public Resources Code Section 5097.98.	N	RE	Construction		IS/ND	
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LANDSCAPE

NA							
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ENVIRONMENTAL COMMITMENTS

NO.	DESCRIPTION OF COMMITMENT	NSSP Y/N	RESPONSIBLE PARTY/MONITOR	TIMING/PHASE	TASK COMPLETED (Sign and Date)	COMMITMENT SOURCE	COMMENTS
HAZARDOUS MATERIALS							
NA							
TRAFFIC							
NA							
OTHER							
NA							

PERMITS

Agency **Issue Date** **Type** **Expiration Date**
 CA Coastal Commission Coastal Development Permit

**Appendix C- Public Notice
Notice of Intent to Adopt a Negative Declaration**

**The first public notice ran in the Orange County Register
The second public notice ran in Huntington Beach's "The Wave"
Both notices were circulated on April 22, 2010**



Public Notice

Notice of Intent to Adopt a Negative Declaration

Do You Want a Public Hearing on Changes Proposed on State Route 1?



WHAT'S BEING PLANNED

CALTRANS (California Department of Transportation) proposes to protect the roadway embankment on State Route 1 (Pacific Coast Highway) by completing the emergency project by installing pedestrian safety rails and metal beam guard rails between Warner Avenue and Seapoint Avenue in the City of Huntington Beach.

WHY THIS AD

CALTRANS has studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the project location for most environmental concerns. The report that explains why is called an Initial Study (with proposed Negative Declaration). This notice is to tell you of the preparation of the Initial Study (with proposed Negative Declaration) and of its availability for you to read and to offer the opportunity for a public hearing.

WHAT'S AVAILABLE

You can look at, or obtain a copy of (fees apply), the Initial Study (with proposed Negative Declaration) at the CALTRANS District 12 Office, 3347 Michelson Dr., Ste. 100, Irvine, CA 92612 on weekdays (M-Th) from 8:00 a.m. to 5:00 p.m. Maps and other information are also available. The documents are also available at the Huntington Beach Library and Cultural Center at 7111 Talbert Ave, Huntington Beach; and at the Helen Murphy Branch Library, 15882 Graham St, Huntington Beach, and online at: http://www.dot.ca.gov/dist12/docs/SR1_IS.htm

WHERE YOU COME IN

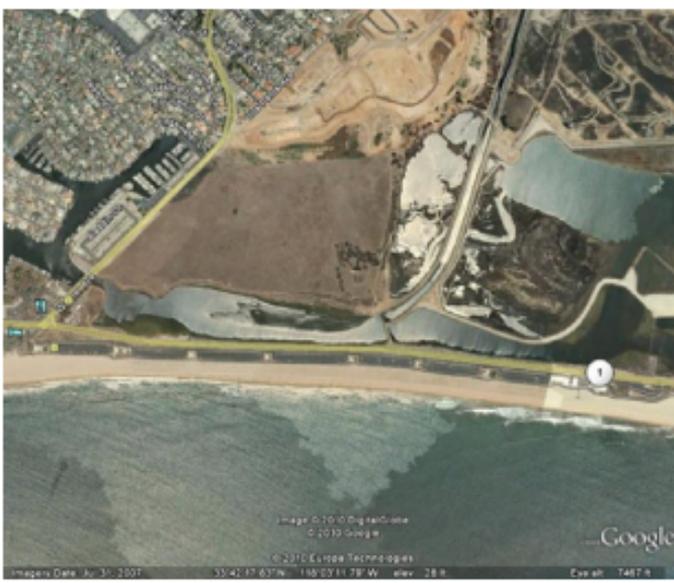
Do you have any comments about processing the project with an the Initial Study (with proposed Negative Declaration)? Do you disagree with the findings of our study as set forth in the Proposed Negative Declaration? Would you care to make any other comments on the project? Would you like a public hearing? Please submit your comments or request for public hearing in writing no later than **May 21, 2010** to CALTRANS District 12 Office, 3347 Michelson Dr., Ste. 100, Irvine, CA 92612. The date we will begin accepting comments is **April 22, 2010**. If there are no major comments or requests for a public hearing, CALTRANS will proceed with the project's design.

CONTACT

For more information about this study or any transportation matter, call CALTRANS, Attn: Gabriela Jauregui (949) 724-2701.

Public Notice

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WHY THIS AD	CALTRANS has studied the effects this project may have on the environment. Our studies show it will not significantly affect the quality of the project location for most environmental concerns. The report that explains why is called an Initial Study (with proposed Negative Declaration). This notice is to tell you of the preparation of the Initial Study (with proposed Negative Declaration) and of its availability for you to read and to offer the opportunity for a public hearing.
WHAT'S AVAILABLE	You can look at, or obtain a copy of (fees apply), the Initial Study (with proposed Negative Declaration) at the CALTRANS District 12 Office, 3347 Michelson Dr., Ste. 100, Irvine, CA 92612 on weekdays (M-Th) from 8:00 a.m. to 5:00 p.m. Maps and other information are also available. The documents are also available at the Huntington Beach Library and Cultural Center at 7111 Talbert Ave, Huntington Beach; and at the Helen Murphy Branch Library, 15882 Graham St, Huntington Beach, and online at: http://www.dot.ca.gov/dist12/docs/SR1_IS.htm
WHERE YOU COME IN	Do you have any comments about processing the project with an Initial Study (with proposed Negative Declaration)? Do you disagree with the findings of our study as set forth in the Proposed Negative Declaration? Would you care to make any other comments on the project? Would you like a public hearing? Please submit your comments or request for public hearing in writing no later than May 21, 2010 to CALTRANS District 12 Office, 3347 Michelson Dr., Ste. 100, Irvine, CA 92612. The date we will begin accepting comments is April 22, 2010 . If there are no major comments or requests for a public hearing, CALTRANS will proceed with the project's design.
CONTACT	For more information about this study or any transportation matter, call CALTRANS, Attn: Gabriela Jauregui (949) 724-2701.

**Appendix D- Comments Received During IS/Proposed ND Review
Period and Responses to Comments**



California Natural Resources Agency
 DEPARTMENT OF FISH AND GAME
 South Coast Region
 4949 Viewridge Avenue
 San Diego, CA 92123
 (858) 467-4201
 http://www.dfg.ca.gov

ARNOLD SCHWARZENEGGER, Governor

JOHN MCCAMMAN, Director



May 24, 2010

Smita Deshpande
 California Department of Transportation
 3347 Michelson Drive, Suite 100
 Irvine, CA 92612
 Phone #: (949) 724-2245

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Subject: Comments on Proposed Mitigated Negative Declaration (MND) for Bolsa Chica Embankment Reconstruction Project SCH# 2010041077 Orange County, CA

Dear Ms. Deshpande:

The Department of Fish and Game (Department) has reviewed the above-referenced draft Mitigated Negative Declaration (MND) received on April 26, 2010. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act [CEQA] Guidelines Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines Section 15381) over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq.).

The proposed project is located along the north bound lane of Pacific Coast Highway (PCH; also known as State Route 1) in the City of Huntington Beach from Warner Avenue to Seapoint Avenue, bounded by Bolsa Chica State Beach and the Department managed Bolsa Chica Ecological Reserve. The California Department of Transportation (Caltrans) would install 495 feet of pedestrian safety cable railing adjacent to the steel sheet pile wall, installed during prior emergency work, and approximately 538 feet of metal beam guard rail or 500 feet of concrete barrier. Existing temporary k-rail and an underlying asphalt concrete strip would be removed prior to installation of the cable rail, metal beam guard, or concrete barrier.

Sensitive species documented within a 500 foot buffer of the proposed project footprint include; California brown pelican (*Pelecanus occidentalis californicus*), black skimmer (*Rynchops niger*), California least tern (*Sternula antillarum browni*), Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*; BSS), light-footed clapper rail (*Rallus longirostris levipes*), estuary sea-blight (*Suaeda esteroa*), and coast wooly-heads (*Nemacaulis denudata var. denudate*).

Prior to circulation of the document the Department coordinated with Caltrans on the emergency work that installed 475 feet of steel sheet pile wall 4 feet away from eastern shoulder of PCH and backfilled the gap with imported soil. The emergency work occurred outside the breeding season for the state listed endangered BSS.

The Department offers the following comments and recommendations to assist Caltrans in avoiding, minimizing, and mitigating potential project impacts on biological resources from the proposed project.

Impacts to State Endangered Species

The draft MND does not provide adequate mitigation measures to avoid and minimize impacts to BSS. The Department believes that there is substantial evidence (i.e., direct effects and reasonably foreseeable indirect effects) that requires implementation of additional mitigation measures. Avoidance of all disturbances (indirect and direct) to BSS is necessary to support the proposed finding of less than significant impact as indicated in the CEQA checklist. Accordingly, the project needs to prohibit all construction activities between March 1 and July 30, the primary nesting season, to avoid and minimize impacts to BSS.

1

Incomplete Project Description

The draft MND does not adequately describe the extent of potential impacts to the environment. Accordingly, the Department is concerned that temporary impacts from implementation of the proposed project would occur beyond the existing footprint of the emergency project.

2

Mitigation measure 5 indicates that sediment or turbidity curtains will be used as a best management practice to control sediment during construction while mitigation measure 13 indicates construction activities shall be conducted from the roadway to the maximum extent possible. However, the draft MND does not include an assessment of the area, type, and quality of habitat that would be disturbed to install the curtains or the potential impacts from construction activities that will not be constructed from the roadway. For example, if sediment curtains are required to reduce the transport of suspended sediment in surface water, their installation and maintenance can result in temporary access roads and temporary anchor locations in upland areas. After project construction is completed and curtains are removed, tidal and upland locations would have exposed and disturbed soils that typically support invasive or nuisance plant species. Invasive species can cause significant degradation of biological communities and reduce their long-term sustainability. The specific area, type, and quality of effected habitat from project activities should be presented and fully discussed in the final document.

3a

3b

Mitigation measure 13 should be revised to reflect that within 90 days of completion of any temporary disturbance, the embankment will be returned to pre-project contours and replanted with native plant species approved by the project biologist and Department's land manager for Bolsa Chica Ecological Reserve. If revegetation cannot start due to seasonal conflicts (e.g., impacts occurring in late fall/early winter should not be re-vegetated until seasonal conditions are conducive to revegetation), exposed earth surfaces should be stabilized immediately with jute-netting, straw matting, or other applicable best management practices to minimize any erosion from wind or water. Areas of temporary disturbance should be maintained and monitored according to performance standards identified in the final environmental document, and reported to an identified entity until the temporary disturbance areas are self-sustaining (typically 3-5 years).

4

Because the MND does not discuss the extent of temporary impacts on the existing environment or provide a complete assessment of project related environmental impacts, the Department is unable to provide additional comment on the appropriateness of measure 5. Additionally, the incomplete project description prevents the Department from proposing feasible alternate mitigation measures to avoid, reduce, or offset the potential significant effects resulting

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from construction and physical change in the environment. The final environmental document should disclose all of the possible temporary impacts to tidal and upland environments, propose feasible mitigation measures to restore the temporary impacts, and commit an entity to complete, monitor, and report on feasible restoration activities within a specific timeframe after completion of project activities.

6

Disturbance of Migratory & Nesting Birds

The MND does not provide adequate discussion of the possible impacts and avoidance for migratory birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (50 C.F.R. Section 10.13). Sections 3503, 3503.5 and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). To avoid and minimize disturbance to migratory birds, other than BSS (see comment above), the Department recommends the following:

7

Proposed project activities (including disturbances to native and non-native vegetation, structures, and substrates) should take place outside of the general breeding bird season that runs from March 15- September 15 (as early as February 1 for raptors) to avoid take (including disturbances which would cause abandonment of active nests containing eggs and/or young). Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86).

8

As discussed in the comment on BSS, the proposed project needs to avoid construction between March 1 and July 30. If avoidance of construction between July 31 and September 15 is infeasible, the Department recommends that beginning thirty days prior to disturbance of suitable nesting habitat, the project proponent should arrange for weekly bird surveys to detect protected native birds in the habitat to be removed and any other such habitat within a minimum of 300 feet of the construction work area as access to adjacent areas allows. The surveys should be conducted by a qualified biologist with experience in conducting breeding bird surveys. The surveys should continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of clearance/construction work. If a protected native bird is found, the project proponent should delay all clearance/construction disturbance activities within 300 feet of suitable nesting habitat until September 15.

9

If an active nest is located, clearing and construction within 300 feet of the nest or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and when there is no evidence of a second attempt at nesting. Limits of construction to avoid a nest should be established in the field with flagging and stakes or construction fencing marking the protected area 300 feet from the nest. Construction personnel should be instructed on the sensitivity of the area. The project proponent should record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

10

Thank you for this opportunity to comment on the MND. Questions regarding this letter and further coordination on these issues should be directed to Matt Chirdon, Environmental Scientist, at (760) 757-3734.

Sincerely,



Edmund Pert
Regional Manager
South Coast Region

cc: Karen Miner, CDFG, San Diego
Russell Barabe, CDFG, San Diego
Matt Chirdon, CDFG, Oceanside
State Clearinghouse, Sacramento

Reponses to Comments

1. The Department prepared a Natural Environmental Study (NES) (August 2009), an Addendum to the NES (March 2010) and an Addendum No. 2 to the NES (June 2010). During the preparation of the reports, the Department was in coordination with Jeff Stoddard from the California Department of Fish and Game (CDFG). Jeff reviewed and approved all proposed avoidance/minimization measures for the emergency project as well as for this project. In addition, BSS surveys were conducted by LSA Associates, Inc. prior to the start of the emergency work. LSA Associates, as the biological monitor, was on-site for activities with the potential to impact any state or federally-listed species. In addition LSA Associates did conduct a noise analysis, as recommended to the Department, during the Informal Formal consultation process, with results stated in the Final Biological Construction Monitoring and Impact Assessment Report (BCMIAR). The IS/ ND has been revised accordingly. See section 2.4, biological Resources. The BCMIAR is attached for your review.
2. Addendum to the NES (March 2010), describes all permanent and temporary impacts from implementation of the proposed project. The Addendum to the NES is attached for your review.
3. a) As described in the Revised Final BCMIAR for the proposed project, the document states the results of water quality sampling, as recommended by the resource agencies, during project coordination. The BCMIAR lists all temporary and permanent project impacts. There were no access roads created for the emergency project nor will it be part of the proposed project. In addition, no staging/storage of equipment was permitted at the CDFG parking lot, immediately south of the project site. There is also no staging/storage proposed for this project. The BCMIAR is attached for your review.

b) In order to limit the spread of invasive species, the Department is proposing to remove giant reed (*Arundo donax*) at Beach Boulevard/PCH for a total of 1.06 acres. This is greater than an 8:1 mitigation ratio for loss to jurisdictional areas. In addition, suitable area within the roadway shoulder at the sheet pile wall does not exist for planting activities. The BCMIAR states all the temporary and permanent impacts for the proposed project. Areas of tidal influx will remain the same pre- and post-construction. CDFG (Jeff Stoddard) was provided a list of mitigation site options, during the coordination process, and was provided opportunity to comment before the decision was made to proceed with the Beach/PCH parcel, as the preferred location.
4. The emergency permits issued by the California Coastal Commission require post-project biological monitoring documentation. All areas of temporary disturbance are discussed in the BCMIAR. The BCMIAR has been submitted to the California Coastal Commission.

5. Addendum to the NES (March 2010), describes all permanent and temporary impacts from implementation of the proposed project. The Addendum to the NES is attached for your review.
6. The BCMIAR lists proposed mitigation options. All options were discussed with United States Fish and Wildlife, Army Corp of Engineers, CDFG (Jeff Stoddard) before arriving at the Beach/PCH Arundo Removal proposal. Given the amount of Arundo (1.06 ac) that can be removed at this parcel, and enhancement of 1.06 ac habitat proposed, the Department feels this is the mitigation measure that will provide the greatest habitat enhancement for BSS. The Department will be required to monitor the Beach/PCH parcel for a time frame of no less than 5 years. The IS/ND has been revised accordingly. See section 2.4, biological Resources. The CDFG will be provided an additional courtesy copy of the Habitat Mitigation Monitoring Plan (HMMP).
7. Addendum No. 2 to the NES (June 2010), discusses the potential impacts to migratory and nesting birds within the proposed project area. The IS/ND has been revised accordingly. See section 2.4, biological Resources. Addendum No.2 to the NES is attached for your review.
8. Same as comment 7.
9. Same as comment 7.
10. Same as comment 7.