

I-5 HOV Lane Extension Project Between Avenida Pico and San Juan Creek Road

ORANGE COUNTY, CALIFORNIA
DISTRICT 12-ORA-5, PM 3.0/8.7
EA 0F9600

Mitigated Negative Declaration/Finding of No Significant Impact



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

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried out by the State of California Department of Transportation under its assumption of responsibility pursuant to 23 U.S.C. 327.



October 2011

CALIFORNIA DEPARTMENT OF TRANSPORTATION
FINDING OF NO SIGNIFICANT IMPACT

FOR

I-5 High Occupancy Vehicle Lane Extension Project

The California Department of Transportation (Caltrans) in cooperation with the Orange County Transportation Authority (OCTA) has determined that Alternative 4 with Design Option A will have no significant impact on the human environment. This FONSI is based on the attached EA which has been independently evaluated by Caltrans and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. Caltrans takes full responsibility for the accuracy, scope, and content of the attached EA (and other documents as appropriate).

The environmental review, consultation, and any other action required in accordance with applicable Federal laws for this project is being, or has been, carried-out by Caltrans under its assumption of responsibility pursuant to 23 U.S.C. 327.

Date

Oct 26, 2011


Caltrans District Director

General Information about This Document

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Department of Transportation, Attn: Scott Shelley, Environmental Planning, Caltrans District 12, 3347 Michelson Dr., Suite 100, Irvine, CA 92612-1692; (949) 724-2705 Voice; or use the California Relay Service 1 (800) 735-2929 (TTY-English), 1 (800) 855-3000 (TTY-Spanish), 1 (800) 735-2922 (voice-English), 1 (800) 855-3000 (voice-Spanish), or 711.

Widen Interstate 5, add one HOV lane in each direction, reestablish and construct auxiliary lanes, between Avenida Pico and San Juan Creek Road, (PM 3.0 to 8.7) in the Cities of San Clemente, Dana Point, and San Juan Capistrano, in Orange County, California

Mitigated Negative Declaration/ Finding of No Significant Impact

Submitted Pursuant to: (State) Division 13, California Public Resources Code
(Federal) 42 USC 4332(2)(C) and 49 USC 303

THE STATE OF CALIFORNIA
Department of Transportation and
Orange County Transportation Authority

Oct 26, 2011
Date of Approval


Cindy Quon
District Director
California Department of Transportation
District 12

MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (the Department) in cooperation with the Orange County Transportation Authority (OCTA) proposes to widen Interstate 5, add one HOV lane in each direction, and reestablish and construct auxiliary lanes between Avenida Pico and San Juan Creek Road (PM 3.0/8.7) in the Cities of San Clemente, Dana Point and San Juan Capistrano, in Orange County, California.

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 agriculture and forest resources, mineral resources, population and housing, land use and planning, and recreation.

In addition, the proposed project would have no significant effect on aesthetics, air quality, geology and soils, hazards and hazardous materials, hydrology and water quality, noise, public services, transportation/traffic, and utilities and service systems.

The proposed project would have no significant adverse effect on paleontological resources because the following mitigation measures would reduce potential effects to insignificance:

PAL-1 Prior to construction activities, the California Department of Transportation (Department) shall ensure that a Paleontological Mitigation Plan (PMP) is prepared and adhered to during construction of the project portions that are identified as having high paleontological sensitivity. The PMP shall include, but not be limited to, the following types of activities: preconstruction field surveys; attendance at pregrade meetings by a qualified paleontologist; a qualified paleontologic monitor shall initially be present on a full-time basis whenever excavation will occur within the sediments that have a high paleontological sensitivity rating and on a spot-check basis for sediments that have a low sensitivity rating; localized concentrations of small (or micro-) vertebrates shall be occasionally spot-screened on site and if microfossils are encountered,

sediment samples shall be collected and processed to recover additional fossils; any recovered specimens shall be prepared to the point of identification and permanent preservation; specimens shall be identified to the lowest taxonomic level possible and curated into an institutional repository with retrievable storage; and the Department shall ensure preparation and submittal of a Paleontological Mitigation Report (PMR) documenting completion of the PMP.

The proposed project would have no significant adverse effect on biological resources because the following mitigation measures would reduce potential effects to insignificance:

BIO-3 For coastal sage scrub (CSS) occupied by coastal California gnatcatcher (CAGN) or in CAGN designated critical habitat, the mitigation ratios will be consistent with the United States Fish and Wildlife (USFWS) standards. Compensatory mitigation may include off-site acquisition of conservation lands and restoration efforts to enhance or create CSS which could be accomplished through participation in the Natural Community Conservation Plan/Habitat Conservation Plan/Master Streambed Alteration Agreement (NCCP/HCP/MSAA) being established by Measure M2.

BIO-4 If required, compensatory mitigation will be provided at a mitigation-to-effect ratio consistent with the ACOE and CDFG policies for no net loss of riparian/riverine habitat (e.g., wetlands) standards. This mitigation could be accomplished through participation in the NCCP/HCP/MSAA being established by Measure M2.



Cindy Quon
District Director
California Department of Transportation
District 12

02/26/2011
Date