

Storm Water Basin Stability and Slope Stabilization

Orange County, California
District 12-ORA-73, PM 10.0-24.5

0H4400

INITIAL STUDY with Mitigated Negative Declaration

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



Prepared by the State of California
Department of Transportation



September 2010

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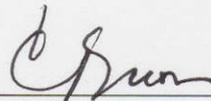
Implement erosion control measures to prevent sediment from accumulating in nine stormwater detention basins along SR-73 from MacArthur Boulevard in the city of Irvine to south of Greenfield Drive in the city of Laguna Hills

INITIAL STUDY with Mitigated 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
California Department of Transportation

MITIGATED NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Project Description

The California Department of Transportation (the Department) proposes to re-stabilize the slopes and medians to reduce sedimentation runoff into nine water quality detention basins on SR-73 (506R, 535L, 583L, 780R, 878R, 930L, 1032L, 1032R, 1156R). Correctional methods include treating the bare soil and eroded areas with planting, irrigation and erosion control measures. Some locations will require slope re-design.

Determination

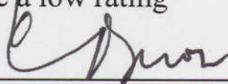
The Department has prepared an Initial Study for this project; and following public review, has determined from this study that the proposed project would not have a significant effect on the environment for the following reasons:

The proposed project would have no effect on wetlands, vegetation, fish and wildlife, rare and endangered species or habitat, cultural or scenic resources, air quality, noise or water quality; nor would the project significantly alter the local topography nor create significant erosion, seismic hazards or floodplain encroachment.

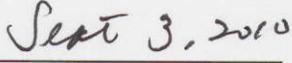
In addition, the proposed project would have no significant effect on any parklands or agricultural land, nor would it induce growth or cause a significant change in the existing or planned land use, economy or community character.

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

1. A Paleontological Mitigation Plan (PMP) will be prepared and implemented
2. A pre-construction field survey will be conducted in areas of high paleontological sensitivity
3. A qualified paleontologist will be required to attend a pre-grade meeting to discuss the likelihood for encountering paleontological resources
4. A qualified paleontological monitor will be present whenever excavation occurs within sediments that have a high sensitivity rating and on a spot-check basis in sediments that have a low rating



Cindy Quon
District Director
District 12
California Department of Transportation



Date

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- B. ENVIRONMENTAL COMMITMENT RECORD
- C. PUBLIC NOTICE
- D. RESPONSE TO PUBLIC COMMENTS
- E. CATEGORICAL EXCLUSION
- F. BASIN AERIAL PHOTOS

TECHNICAL STUDIES PREPARED

- A. HISTORIC PROPERTY SURVEY REPORT (JAN 2009)
- B. PALEONTOLOGICAL RESOURCES IDENTIFICATION AND EVALUATION REPORT (JAN 2009)
- C. NATURAL ENVIRONMENT STUDY (SEP 2009)
- D. NATURAL ENVIRONMENT STUDY/MINIMAL IMPACT (JAN 2009)

1.1 Project Location

The proposed project area extends for 14 miles along State Route 73 (SR-73) from MacArthur Boulevard (Post Mile 27.3) in the city of Irvine to south of Greenfield Drive (Post Mile 11.2) in the city of Laguna Hills. (see Figure 1., Regional Location map).

1.2 Project Description

Approximately 24 miles of SR-73 is a limited-access toll road designed and constructed by The San Joaquin Hills Transportation Corridor Agencies (TCA) between 1993 and 1996. The toll road within the project limits varies from 3 to 4 travel lanes in each direction. The visual character of the project area is part urban, part rural. Adjacent land uses are rural, residential, commercial and educational.

A system of storm water detention basins that treat runoff from the highway prior to discharging it to natural drainage areas were constructed along with the roadway. Water quality monitoring was performed in 38 of the basins during the rainy season of 2004/2005. An excessive amount of sediment was noted in the basins. The sediment load was observed to originate from outside the footprint of the existing basins, but from within the watershed. The sediment load may compromise the water quality monitoring of the basins.

The objective of this project is to re-stabilize the slopes and medians to provide source control in order to improve the filtering capacity of nine of the stormwater detention basins (i.e., 506R, 535L, 583L, 780R, 878R, 930L, 1032L, 1032R, 1156R) (see Figure 2., Basin Location Map).

Proposed mitigation measures to be implemented at each specific basin include:

506R – add an erosion control blanket; construct a 3’ concrete v-ditch; install fiber rolls and turf block; planting

535L – add erosion control mix; planting; install fiber rolls and turf block

583L – minor slope grading; add grass seed mix

780R – major slope grading; planting; add grass seed mix; construct a v-ditch; add fiber rolls

878R – planting; construct new v-ditches; add new apron entry paving and a gravel access road; install fiber rolls

930L – add grass seed mix; install paved apron along the mainline; add grass seed mix and fiber rolls

1032L – planting; install an erosion control blanket, fiber rolls and turf block; grass seed mix; construct a v-ditch; add gravel for access road; install rip rap

1032R – slope grading; planting; add seed mix, erosion control blankets and fiber rolls; construct v-ditches.

1156R – grading; seeding; install erosion control blanket and fiber rolls; planting; replace a section of a v-ditch; re-gravel the access road

1.3 Permits and Approvals Needed

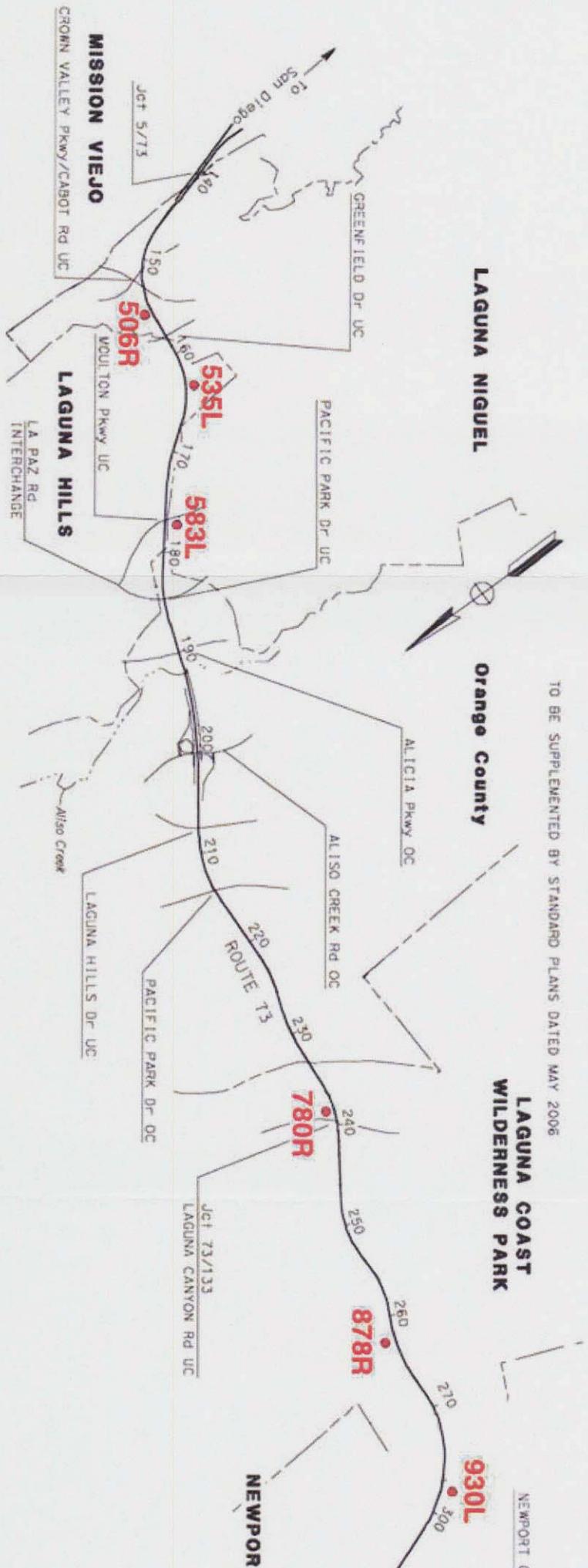
The following permits, reviews, and approvals would be required for project construction:

Table 1: Permits, Reviews, and Approvals

| Agency | Permits/Approvals | Status |
|--|--|---------------|
| United States Army Corps of Engineers | Section 404 Nationwide Permit in compliance with the Clean Water Act | TBD |
| Santa Ana Regional Water Quality Control Board | Section 401 Water Quality Certification submitted with the 404 | TBD |
| California Department of Fish and Game | Streambed Alteration Agreement (1602) | TBD |



Figure 1 – Regional Location Map



TO BE SUPPLEMENTED BY STANDARD PLANS DATED MAY 2006

LAGUNA NIGUEL

Orange County

**LAGUNA COAST
WILDERNESS PARK**

NEWPORT

MISSION VIEJO

CROWN VALLEY PKWY/CABOT RD UC

Jet 5/73

GREENFIELD DR UC

WOULTON PKWY UC

LAGUNA HILLS

LA PAZ RD INTERCHANGE

PACIFIC PARK DR UC

ALICIA PKWY OC

ALISO CREEK RD OC

Aliso Creek

LAGUNA HILLS DR UC

PACIFIC PARK DR UC

ROUTE 73

Jet 73/133

LAGUNA CANYON RD UC

NEWPORT

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 checked="" type="checkbox"/> Paleontological 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 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 checked="" 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="1" style="width: 100%;"> <tr> <td style="width: 70%; vertical-align: top;"> <p><i>Smita Deshpande</i></p> <p>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: top;"> <p><i>April 21, 2010</i></p> <p>Date</p> </td> </tr> </table> | | <p><i>Smita Deshpande</i></p> <p>Signature</p> <p>Smita Deshpande, Senior Environmental Planner District 12 Division of Environmental Analysis California Department of Transportation</p> | <p><i>April 21, 2010</i></p> <p>Date</p> |
| <p><i>Smita Deshpande</i></p> <p>Signature</p> <p>Smita Deshpande, Senior Environmental Planner District 12 Division of Environmental Analysis California Department of Transportation</p> | <p><i>April 21, 2010</i></p> <p>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 type="checkbox"/> | <input checked="" 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

The proposed project would not affect any scenic vistas. The detention basins already exist in place. SR-73 is not on the list of scenic highways. The implementation of erosion control measures (e.g., re-vegetation) would improve the visual character of the basins and their surroundings. Light sources are not a component of this project. No glare would be generated. There are no historic buildings in the project area.

2.1.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

Chapter 2 – CEQA Checklist

2.2 Agricultural Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| <p>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:</p> | | | | |
| 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

None of the stormwater detention basins exist in an area zoned for agricultural use. The designated land use would remain the same after project implementation. The project would not result in the conversion of farmland to non-agricultural use.

2.2.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

2.3 Air Quality

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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.

Currently, the SCAB is in non-attainment status for ozone (O₃), particulate matter at or below ten microns (PM₁₀), and carbon monoxide (CO) for the State (although Orange County is in a maintenance status for CO). The proposed project would generate temporary pollutant emissions (e.g., PM₁₀ and PM_{2.5}) during construction activities, but would not result in a significant cumulative net increase of any criterion pollutant.

Objectionable odors are not currently present within the project site or environs. Construction activities are not anticipated to emit significant odors.

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 |
|--|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" 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

This biological study is based on the Natural Environmental Study/Minimal Impacts (NES (MI)) and the Natural Environmental Study (NES) prepared in January and September 2009, respectively. Furthermore, a Jurisdictional Delineation Report is part of the NES (MI) report.

The limits of Biological Study Area (BSA), extends from MacArthur Boulevard to Greenfield Drive within the cities of Irvine, Laguna Beach, and Laguna Niguel (see figure 2 and appendix g). The entire BSA is located on the United States Geological Survey (USGS) Tustin, Laguna Beach, and Dana Point, California 7.5- minute topographic maps. The BSA was extended beyond the maximum extent of potential direct effects where necessary to identify sensitive biological resources within and immediately adjacent to the project area. The BSA was then used to define the study limit boundaries for all biological studies conducted during 2008 and 2009.

2.4.1.2 Natural Communities

Seven vegetation communities were identified within the BSA and the study area contains a mixture of these vegetation communities.

2.4.1.3 Affected Environment

Ruderal

Most of the basins are mowed on the bottom and on the slopes. Regular disturbance maintains a high number of nonnative species within the basins. In varying degrees of coverage, these species include Australian saltbush (*Atriplex semibaccata*), black mustard (*Brassica nigra*), foxtail chess (*Bromus madritensis* ssp. *rubens*), common horseweed (*Conyza canadensis*), tocalote (*Centaurea melitensis*), garland chrysanthemum (*Chrysanthemum coronarium*), telegraph weed (*Heterotheca grandiflora*), short-pod mustard (*Hirschfeldia incana*), coastal goldenbush (*Isocoma menziesii*), cheeseweed (*Malva parviflora*), bristly ox-tongue (*Picris echioides*), castor bean (*Ricinis communis*), Russian thistle (*Salsola tragus*), tall wreath-plant (*Stephanomeria virgata*), and common cocklebur (*Xanthium strumarium*). This habitat type was not specifically mapped, but is present in all basins.

Coastal Sage Scrub (CSS)

Species within this plant community include California sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), California buckwheat (*Eriogonum fasciculatum*), California encelia (*Encelia californica*), coastal deerweed (*Lotus scoparius* var. *scoparius*), and bush monkey flower (*Mimulus aurantiacus*). Although there is no CSS located within any of the basins, there is CSS located within the area of direct effects at basin 780R and adjacent to basin 878R.

Coastal Freshwater Marsh

Coastal freshwater marsh was present at several of the low-lying basin areas with occasional standing water. Marsh habitat consisting primarily of cattails was typically localized within the basin and limited to a small portion of the basin around the culvert. Additional species include mulefat (*Baccharis salicifolia*), African brass buttons (*Cotula coronopifolia*), giant wild-rye (*Leymus condensatus*), white sweetclover (*Melilotus alba*), rabbitfoot grass (*Polypogon monspeliensis*), Spanish sunflower (*Pulicaria paludosa*), prickly sow-thistle, curly dock (*Rumex crispus*), common horseweed, and occasionally emergent willows (*Salix* sp.). Many of the dominant species are nonnative.

Ornamental Landscaping

Significant portions of the study area consist of nonnative landscaped vegetation on the adjacent slopes of the basins. Species within this habitat type consist of gum tree, pine (*Pinus* spp.), Peruvian pepper tree, and goldenrain tree. Shrub and groundcover species include strawberry tree and prostrate acacia. In addition, these peripheral areas occasionally include native species such as coyote bush (*Baccharis pilularis*), California encelia (*Encelia californica*), western sycamore (*Platanus racemosa*), coast live oak (*Quercus agrifolia*), California wild rose (*Rosa californica*), and black sage (*Salvia mellifera*).

Cleared or Graded

Several portions of the study area consist of cleared or barren ground. These areas are devoid of vegetation and, in most locations, are compacted dirt or a gravel road.

Chaparral

The chaparral plant community primarily occurs adjacent to Basin 780R. Within the project area, the chaparral vegetation appears to be planted. Species within this plant community include laurel sumac (*Malosma laurina*), toyon (*Heteromeles arbutifolia*), lemonade berry (*Rhus integrifolia*), white sage (*Salvia apiana*), California sagebrush, and California buckwheat.

Wildlife Corridors

There are several wildlife crossings along SR-73 that were also implemented as part of the mitigation requirements for SR-73. These wildlife crossings were constructed at Laguna Canyon adjacent to Laguna Canyon Road, in the saddle between Shady and Laurel Canyons, and along the westerly fork of Bommer Canyon. Of the nine basins, basin 930L is located in close proximity to one of the designated wildlife corridors.

2.4.1.4 **Environmental Consequences**

Direct impacts to habitat are those associated with the removal of vegetation within the BSA. With the exception of CSS plant community, the project will not result in any direct significant impacts to any sensitive habitats or other protected biological resources. No trees will be removed as a result of the proposed project activities. Impacts to non-sensitive habitats (i.e., nonnative trees and shrubs that may provide nesting habitat for migratory birds) are not significant because of the small amount of impact and the disturbed nature of the habitats. However, the Migratory Bird Treaty Act (MBTA) protects migratory birds; therefore, measures will be taken to protect active nests.

In addition, project activities are not expected to cause any substantial impacts to the wildlife movement corridors due to the relatively confined nature of the basins, the brief

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time period to complete project activities with each basin and the minimal amount, if any, of heavy work proposed for the basins.

The proposed project is expected to potentially result in direct permanent and temporary impacts to CSS through disturbance and/or removal of existing vegetation. Approximately 0.50 ac of soil will be graded at Basin 780R. Of this 0.50 ac, approximately 0.04 ac (occurring at the top of the slope) is considered to be of good quality CSS. The face of this slope has low quality CSS due to an extended period of erosion activity. All impacts to this slope are considered temporary as the entire area will be re-established with CSS. CSS will also be impacted due to the extension of a concrete v-ditch (0.027 ac for permanent impacts and 0.18 ac for temporary impacts) at Basin 878R. The proposed project would permanently impact a total of approximately 0.027 ac and temporarily impact approximately 0.518 ac of CSS.

2.4.1.5 Avoidance and Minimization Measures

The following measures will be incorporated to avoid and minimize impacts to CSS habitat:

- Design measures include a modified smaller impact area at the top of the slope at basin 780R in order to reduce impacts to the CSS.
- Prior to clearing or construction, highly visible barriers (such as orange construction fencing) will be installed around CSS adjacent to the project footprint to designate ESAs to be preserved. No grading or fill activity of any type will be permitted within these ESAs. In addition, heavy equipment, including motor vehicles, will not be allowed to operate within the ESAs. All construction equipment will be operated in such a manner as to prevent accidental damage to nearby preserved areas. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones. Silt fence barriers will be installed at the ESA boundary to prevent accidental deposition of fill material in areas where vegetation is immediately adjacent to planned grading activities.
- In order to avoid impacts to nesting birds, any native vegetation removal or tree (native or exotic) trimming activities will occur outside of the nesting season (February 15–August 31). In the event that vegetation clearing is necessary during the nesting season, a qualified biologist will conduct a preconstruction survey to identify the locations of nests. Should nesting birds be found, an exclusionary buffer will be established by the biologist. This buffer should be clearly marked in the field by construction personnel under the guidance of the biologist, and construction or clearing will not be conducted within this zone until the biologist determines that the young have fledged or the nest is no longer active.
- Inspection and cleaning of construction equipment will be performed to minimize the importation of nonnative plant material, and eradication strategies (i.e., weed abatement programs) would be employed should an invasion occur.
- A biologist will monitor all construction activities for the duration of the project in areas adjacent to ESA boundaries to flush any wildlife species present prior to

Chapter 2 – CEQA Checklist

construction and to ensure that vegetation removal, BMPs, ESAs, and all avoidance and minimization measures are properly adhered to.

The CSS within the project boundaries is not protected by any federal, State, or local regulations, and there are no expected impacts to any CSS habitat within designated critical habitat. The existing CSS at basins 780R and 878R was previously planted as mitigation in response to the construction of SR-73. This CSS is considered marginal due to existing conditions and the overall project value (native plant installation) will compensate for these impacts to CSS. Concurrence from Sally Brown (USFWS) was received by Lesley Hill (Caltrans) via e-mail on May 4, 2009.

The basins are not within the NCCP/HCP reserve, but they are located immediately adjacent to the NCCP/HCP reserve area. SR-73 was constructed in compliance with a Biological Opinion, and impacts to CSS were mitigated at that time. Although SR-73 was incorporated into the NCCP/HCP as a nonreserve area in 1996, work at the basins will not impact NCCP/HCP reserve areas.

2.4.2 Plant Species

Special status plant species with the potential to occur within the vicinity of the BSA are discussed in the NES (MI) and NES prepared in January 2009 and September 2009, respectively. Special-status plants with the potential to occur in the BSA are discussed in this section.

2.4.2.1 Affected Environment

Some suitable habitat that could support Thread-leaved brodiaea (*Brodiaea filifolia*), San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*) and Gambel's water cress (*Rorippa gambellii*) exists at basins 780R and 878R. However, much of the habitat on the site is disturbed, developed or degraded by infestation of non-native species.

2.4.2.2 Environmental Consequences

Since these species were not found during surveys conducted in 2008 or 2009, they are considered absent from the BSA.

2.4.2.3 Avoidance and Minimization Measures

No avoidance and minimization measures are warranted because the proposed project is not expected to affect these species.

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2.4.3 Animal Species

The BSA is characterized by a mosaic of native and nonnative vegetation communities associated with the storm water basins along SR-73. Wildlife species occurring within the BSA are characteristic of those found within both native habitats and developed or disturbed habitats. Special status wildlife species with the potential to occur within the vicinity of the BSA, are discussed in the NES (MI) and the NES prepared in January 2009 and September 2009, respectively. Special-status wildlife with the potential to occur in the BSA are discussed in this section.

2.4.3.1 Affected Environment

Modified focused surveys were conducted by LSA in 2009 to determine the presence of Coastal California Gnatcatcher (*Polioptia californica californica*) within the BSA. No Coastal California Gnatcatcher (CAGN) were observed during the surveys. Some suitable CSS habitat that could support this species exists adjacent to basin 878R and on a hill slope near basin 780R. However, it is unlikely that a breeding territory will develop in the BSA due to the small size of any potential territories available.

CAGNs were observed within the project area (i.e., within 500 ft) during 2008 reconnaissance-level biological resource surveys, but not in the vicinity of basins 780R and 878R.

2.4.3.2 Environmental Consequences

The proposed project is not expected to directly impact CAGN as a result of the avoidance and minimization measures described in Section 2.4.1.4 and the low probability of CAGN to occur within the BSA. However, the proposed project is expected to have indirect and temporary impacts to CAGN through loss of potential foraging habitat. Therefore, project impacts for this species are the same as those described for the CSS natural community in Section 2.4.1.2.

2.4.3.3 Avoidance and Minimization Measures

Although no CAGN were observed during focused surveys conducted for this species, and no breeding territories are expected to occur within the project area, the proposed project would impact CSS habitat. It is possible for CAGN to move onto the project site prior to construction. Therefore, the avoidance and minimization measures described for the CSS natural community in Section 2.4.1.4 will also benefit CAGN.

2.4.4 Wetlands and Other Waters

This section is based on the NES (MI) (January 2009), the NES (September 2009) and the Jurisdictional Delineation report (January 2009).

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2.4.4.1 Affected Environment

US Army Corps of Engineers Jurisdiction

Based on the approved Jurisdiction Determination letters from US Army Corps of Engineers dated March 20, 2009, Basin 506R is the only basin that is subjected to Section 404 of the Clean Water Act. The remaining eight basins are not subjected to section 404 of the Clean Water Act. The total jurisdictional non-wetland waters area within basin 506R is 0.423 acre.

California Department of Fish and Game Jurisdiction

Based on the finding and conclusion of the Jurisdictional Delineation, all nine basins are considered to be not jurisdictional by the CDFG since they are constructed on dry land for the sole purpose of collecting and treating storm water runoff from SR-73 and are separated from any other water bodies under CDFG jurisdiction and clearly are not part of a river, stream, or lake as defined by the CDFG. Although, areas that satisfy the ACOE jurisdictional criteria for waters of the United States are subjected to section 1602 of the California Fish and Game Code, basin 506R is not considered jurisdictional to CDFG pursuant to section 1602 of the Fish and Game code since the basin is vegetated with upland species and constructed on dry land.

Regional Water Quality Control Board (RWQCB) Jurisdiction

The California Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA. All the areas satisfying the ACOE jurisdictional criteria for waters of the United States are also subjected to RWQCB regulatory authority under section 401 of the CWA. Typically, the areas subjected to RWQCB jurisdiction coincide with those of the ACOE (i.e., waters of the United States, including any wetland). Therefore, basin 506R could be subject to RWQCB jurisdiction since this basin was determined to be jurisdictional under Section 404 of the Clean Water Act.

2.4.4.2 Environmental Consequences

Based on the current project description, the proposed work within basin 506R is limited to adding an erosion control blanket on the basin slopes, planting grass mix at the bottom of the basin and installing 5 inch wide v-ditch at the toe of the slope. Although planting grass mix vegetation at the bottom of the basin is not expected to discharge dredged and/or fill materials into Waters of the United States, the work associated with the installation of a v-ditch within the basin may result in permanent impact to ACOE jurisdictional non-wetland waters. A temporary impact to jurisdictional area may occur from equipment staging and construction activities during the construction phase of the project.

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2.4.4.3 Avoidance and Minimization Measures

Based on the final design plan and determination of activities subjected to section 404 and 401 of the CWA, permits from the U.S. Army Corps of Engineers and the Regional Water Quality Control Board may be obtained during the project design phase.

Based on previous coordination with the Department of Fish and Game, this project does not require a Streambed Alteration Agreement. Concurrence that the proposed project will not require a SAA was received by Lesley Hill (Caltrans) from Pam Beare (CDGF) via e-mail on May 26, 2009. However, based on the final design plan and jurisdictional verification by CDFG, further coordination may be needed.

2.5 Cultural Resources

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|-------------------------------------|--------------------------|
| 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 checked="" type="checkbox"/> | <input 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 checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

2.5.1 Discussion of Environmental Evaluation Question 2.5- Cultural Resources

A Historic Property Survey Report (HPSR) (January 2009) and a Paleontological Resources Identification and Evaluation Report (PIR/PER) (January 2009) were prepared to evaluate project impacts on cultural and paleontological resources.

A records search, a Native American consultation and a pedestrian and windshield survey of the Area of Potential Effect (APE) were conducted for the project.

The conclusion of the HPSR was no historic resources are present within the project's APE. However, environmentally sensitive areas (ESA) have been established to protect historic properties and human remains in the immediate vicinity of the project.

In the PIR/PER, eight of the basins (i.e., 506R, 535L, 583L, 780R, 878R, 1032R, 1032L and 1156R) were found to involve ground-disturbing activities in sediments that have a high to very high paleontological sensitivity. It is likely that paleontological localities will be encountered during excavation activities near these basins.

2.5.2 Avoidance, Minimization, and/or Mitigation Measures

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

To reduce significant impacts to any paleontological resources encountered, a Paleontological Mitigation Plan (PMP) will be prepared and implemented.

A pre-construction field survey will be conducted in areas of high paleontological sensitivity.

Attendance by a qualified paleontologist is required at a pre-grade meeting to discuss the likelihood for encountering paleo resources.

A qualified vertebrate paleontological monitor will be present whenever excavation occurs within sediments that have a high sensitivity rating and on a spot-check basis in sediments that have a low rating.

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2.6 Geology and Soils

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 in southern California, a region with several major and numerous smaller faults. The nearest fault line to the project area is the Newport Inglewood-Rose fault, which is approximately 2 miles from SR-73 at its nearest point. An earthquake in the project area would not expose people or structures to adverse effects. The stormwater basins are located away from high concentrations of people.

The objective of the project is to prevent soil erosion. Project implementation will make the soil less susceptible to erosion. Soil erosion could occur during construction, however, all Department of Transportation construction projects must comply with Caltrans Standards and Specifications, including provisions for water pollution control, which inhibits erosion.

Neither wastewater disposal systems nor septic tanks are a component of this project.

2.6.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.7 Hazards and Hazardous Materials

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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

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The project does not require the use, transport or disposal of hazardous materials. The detention basins are generally located away from residences and/or people so there would be no risk to persons or property by project activities. Further analysis is not warranted.

2.7.2 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 |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 within the jurisdiction of both the Santa Ana and San Diego Regional Water Quality Control Boards (RWQCB). The receiving water bodies within the Santa Ana RWQCB include San Diego Creek and Bonita Creek while the water bodies within San Diego RWQCB include Aliso Creek. San Diego and Aliso creek are on the 2006 Clean Water Act Section 303(d) list of water quality limited segmented requiring TMDLs. San Diego Creek has been identified on the 303(d) list for unknown sources of

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fecal coliform, Selenium, and Toxaphene. Aliso creek's impairments that place the water body on the 303(d) list include unknown sources of indicator bacteria, phosphorus and toxicity. There may be the potential for temporary impacts during construction from proposed activities to stabilize the medians, drainage basins and slopes. Activities that can create temporary impacts such as grading, trenching, slope roughing will be addressed in the project Storm Water Pollution Prevention Plan (SWPPP) and the Best Management Practices (BMPs) implemented to minimize the impacts. 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. 99-08-DWQ, NPDES No. CAS000002) or subsequent permits in effect at the time of construction. The contractor will prepare and implement a SWPPP to comply with the General Construction Permit. The SWPPP will identify and implement appropriate 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.), tracking control, non- storm water management BMPs (vehicle and equipment maintenance), and waste management and materials pollution control BMPs (spill control, stockpile management, concrete waste management).

The project will have no effect on groundwater supplies. The concrete v-ditches constructed at some of the basins will slightly increase the impervious surface area, but all of the additional runoff will drain directly into the basins and be treated prior to discharging into the ocean.

The project area is not located in a 100-year flood zone per FEMA Flood Insurance Rate Maps. Housing is not an element of this project. The project site is located approximately 4 miles from the ocean at its nearest point.

2.8.2 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

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2.9 Land Use and Planning

| | Potentially Significant Impact | Less Than Significant with Mitigation | Less Than Significant Impact | No Impact |
|--|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 on 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 as proposed simply makes modifications to the existing stormwater detention basins and their surroundings. The basins, as located, do not physically divide a community and will not after project implementation. Land use designations around the basins (e.g., open space, preservation, residential) will remain the same. The project area is not located within or near an established HCP or NCCP designated area. Therefore, no impacts would occur as a result of project implementation.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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

The project area is not located in a region of significant construction aggregate resources as designated by the Department of Conservation, State Mining and Geology Board. (Arcand, 2009) Therefore, no further analysis of local mineral resources is warranted.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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. There will be no change in noise levels and ground vibration from existing levels with project implementation. Due to the insular locations (i.e., away from people) of the basins and the level of traffic noise emanating from the highway, any noise generated during construction activities would be insignificant.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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

New development (e.g., residential or commercial) is not a component of this project. No infrastructure will be constructed. 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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 project modifies existing stormwater detention basins and would not require the creation of new public facilities or interfere with the operation of existing public services.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 proposed project would have no effect on any recreational facilities. Further analysis is not warranted.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 objective of this project is to improve the filtering capacity of the stormwater detention basins, hence, this action will have no bearing on either vehicular or air traffic patterns in the project area. Further analysis is not warranted.

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 |
|---|--------------------------------|---------------------------------------|------------------------------|-------------------------------------|
| 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 will not generate any wastewater. The objective of the project is to improve the quality of the wastewater treated by the basins in order to comply with the Regional Water Quality Control Board requirements as discussed in Section VIII, Hydrology and Water Quality.

No new wastewater treatment facilities or storm drains will be constructed nor the existing facilities expanded. The project only intends to re-stabilize the slopes around the basins to prevent erosion from rain fall events from entering the basins.

Any solid waste (e.g., soil) generated by the project will either be dispersed throughout the project area if non-contaminated, or disposed of at an appropriate landfill.

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 |
|---|--------------------------------|---------------------------------------|-------------------------------------|-------------------------------------|
| 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 checked="" type="checkbox"/> | <input 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

This project is not expected to degrade the quality of the environment. Indeed, the intent of the project is to improve the quality of the water filtered by the stormwater detention basins before discharge into natural drainage systems. The strategies proposed (e.g., re-vegetation, slope grading, erosion control blankets, etc.) will enhance the quality of the environment. Coastal Sage Scrub (CSS) habitat for the California Gnatcatcher (CAGN), is present in the project area. Surveys were conducted to determine the presence of the birds. In order to avoid any impacts to the CAGN and/or nesting birds, construction will not occur during nesting season in or near areas where presence was detected or is likely to occur for any listed bird species. No direct impacts are expected to occur to listed species as a result of the proposed project, and no designated critical habitat for any federally listed species will be impacted.

Eight of the basins (i.e., 506R, 535L, 583L, 780R, 878R, 1032R, 1032L, 1156R) have ground disturbing activities in sediments that have a high to very high paleontological sensitivity. It is likely that paleontological localities will be encountered during excavation activities near these basins. The mitigation measures as stated in section 2.5.2 will reduce any impacts to a level of less than significant.

The project is not expected to have any cumulative impacts. All the effects of the erosion control and slope stabilization measures implemented at each basin will be confined to the immediate area around the basin. The project will not result in an increase in traffic or in population. There will be no impacts to natural resources, ecosystems or the human community.

The project will not cause any direct or indirect adverse effects on human beings. The basins are generally located away from residential areas with the exception of basins 535L and 583L.

2.17.2 Cumulative Impacts

No cumulative impacts are expected from project implementation. See (b).

2.17.3 Avoidance, Minimization, and/or Mitigation Measures

No mitigation is required.

Chapter 3 – CLIMATE CHANGE

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.

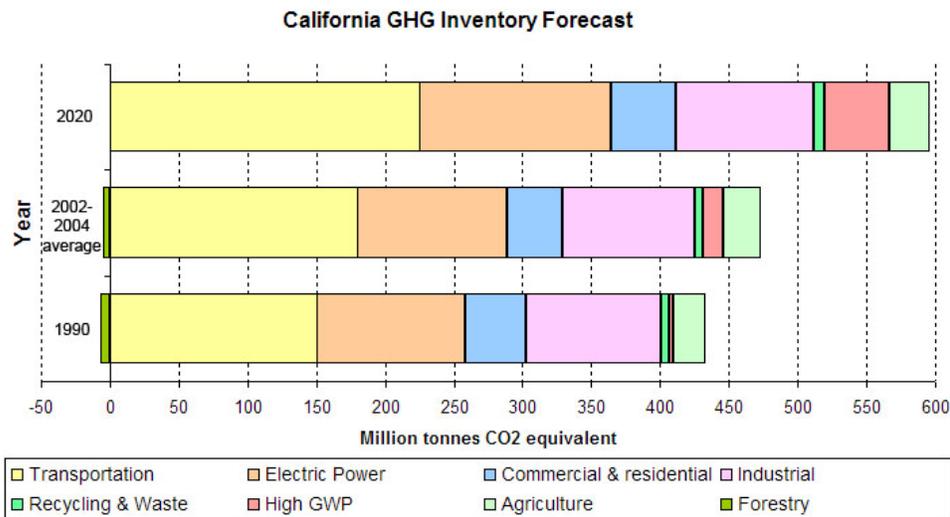
Climate change and GHG reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing GHG emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states,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

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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.



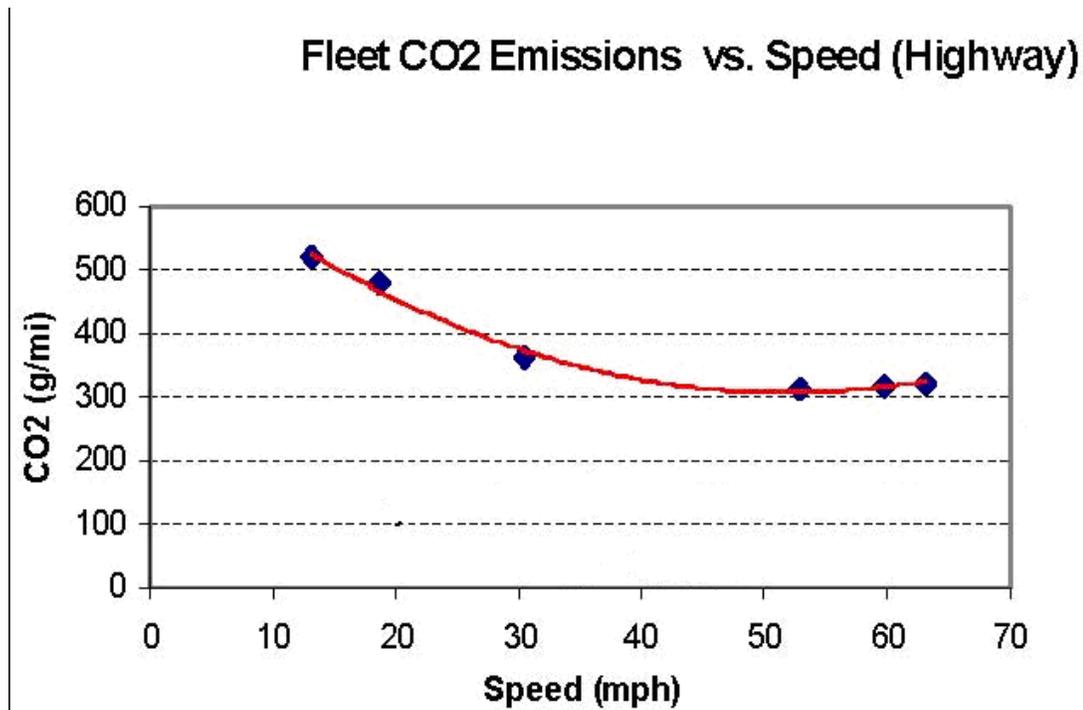
CALIFORNIA GREENHOUSE GAS INVENTORY

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

Caltrans 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), Caltrans 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

Chapter 3 – CLIMATE CHANGE

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

Caltrans 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

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targets set forth in AB 32. Many of the strategies Caltrans 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.

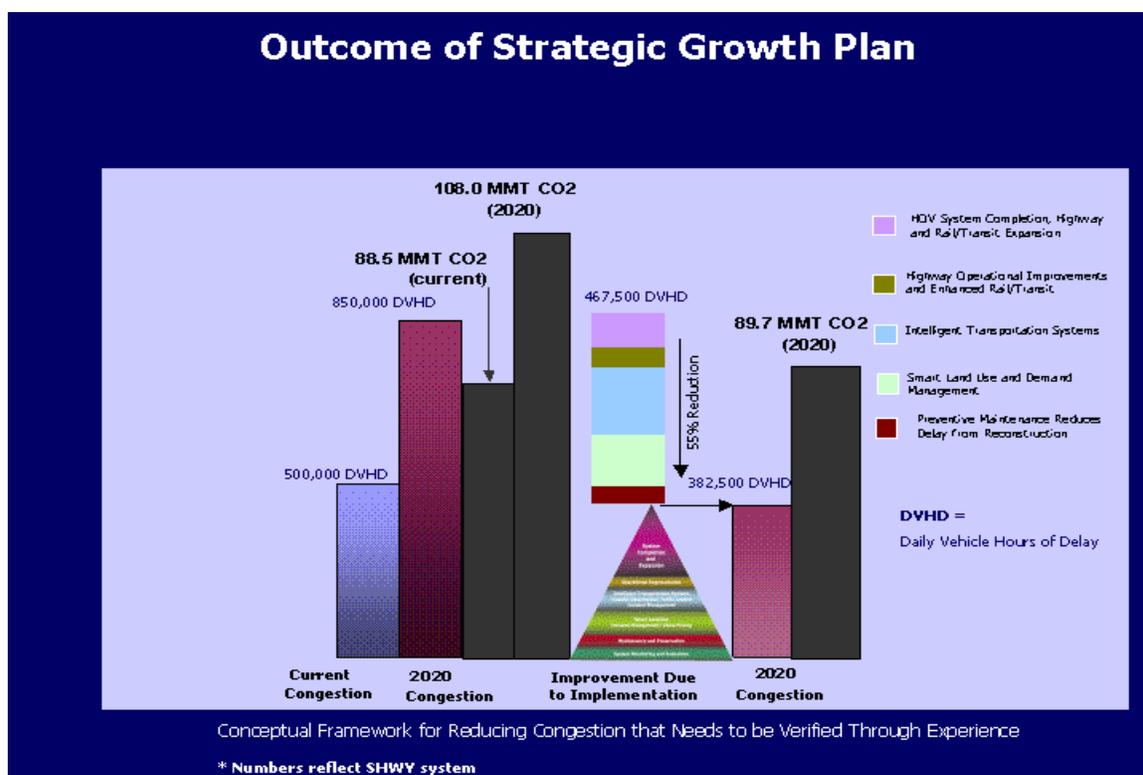


Figure 3-2 Outcome of Strategic Growth Plan

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. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans 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;

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

Chapter 3 – CLIMATE CHANGE

Caltrans is doing this by supporting on-going 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 Caltrans 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>

Chapter 3 – CLIMATE CHANGE

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 |
| | Office of Policy Analysis & Research; Division of Environmental Analysis | Interdepartmental effort | | Policy establishment, guidelines, technical assistance | Not Estimated | Not Estimated |
| Mainstream Energy & GHG into Plans and Projects | Office of Policy Analysis & Research | Interdepartmental, CalEPA, CARB, CEC | | Analytical report, data collection, publication, workshops, outreach | Not Estimated | Not Estimated |
| Educational & Information Program | Division of Equipment | Department of General Services | | Fleet Replacement B20 | 0.0045 | 0.0065 0.45 |

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| | | | | | | | |
|-------------------------------------|-----------------------------|------------------------------------|--|------|--|---------------|---------------|
| | | | | B100 | | | .0225 |
| 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 Caltrans 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

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.

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 Caltrans Standard Specification Provisions, idling time for lane closure during construction is restricted to ten minutes in each direction; in 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 Agencies

City of Irvine

City of Laguna Niguel

California Department of Conservation/State Mining and Geology Board

California Department of Fish and Game

Army Corps of Engineers

U.S. Fish and Wildlife Service

The Transportation Corridor Agencies

Circulation

This Initial Study was published in two local newspapers (The Orange County Register, The Current) from April 23 to May 24, 2010, to provide opportunity for public comments. The document was also made available for review at local area libraries (Heritage Park Regional Library, Katie Wheeler Branch Library) and at the Caltrans, District 12 Office. (see appendix D for the public notices)

Comments were received from the Department of Fish and Game and The Transportation Corridor Agencies during the public review period for the IS/Proposed MND (see appendix E for the public agency comment letters and Caltrans responses to comments letter)

A public hearing was not requested.

Chapter 5 – List of Preparers

California Department of Transportation, District 12

| | |
|-----------------|--|
| Smita Deshpande | Senior Environmental Planner |
| Edward Dolan | Associate Environmental Planner |
| Eric Dickson | Project Manager, Landscape Architecture |
| Ron Wong | Project Engineer, Landscape Architecture |
| Reza Aurasteh | Branch Chief, Environmental Engineering, Hazardous Materials |
| Arman Behtash | Environmental Engineer, Air Quality |
| Charles Baker | Senior Environmental Planner, Cultural Resources |
| YooJoong Choi | Transportation Engineer, Geotechnical Services |
| Hector Salas | Associate Environmental Planner, Water Quality |
| Lesley Hill | Associate Environmental Planner, Biology |
| Iffat Qamar | Associate Environmental Planner, Phd, PEER Review |

Chapter 6 – Distribution List

The Initial Study was distributed to local, and regional agencies and utility providers affected by the proposed project. In addition, a NOA was published in local newspapers.

Office of Planning and Research (OPR)
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Chapter 7 – References

Will Arcand, California Department of Conservation, State Mining and Geology Board, Senior Engineering Geologist, Personal communication to Ed Dolan, Caltrans, Irvine, California, May 11, 2009.

Appendix A - Title VI Policy Statement

DEPARTMENT OF TRANSPORTATION

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SACRAMENTO, CA 94273-0001
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*Flex your power!
Be energy efficient!*

January 14, 2005

**TITLE VI
POLICY STATEMENT**

The California 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, and 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 black ink that reads "Will Kempton".

WILL KEMPTON
Director

Appendix B- Environmental Commitment Record

Originating date 10/1/09
 Current date: 3/17/10
 ECR Last revised date: 7/13/10

Document Type CCA:
 POST MILE: 10.0-24.2

Project description: To address sedimentation issues in nine SR-73 storm water detention basins, it is proposed to implement best management practices such as slope repair/grading, slope protection, drainage improvements, vegetating bare areas and sediment traps.

| | |
|-------------------|---|
| PSR | |
| PROJECT REPORT | X |
| 35% PS&E | |
| 65% PS&E | |
| 95% PS&E | |
| PRECONSTRUCTION | |
| CONSTRUCTION | |
| POST CONSTRUCTION | |

ENVIRONMENTAL GENERALIST: Ed Dolan (949) 724-2128

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 |
|-----|---------------------------|----------|---------------------------|--------------|--------------------------------|-------------------|----------|
|-----|---------------------------|----------|---------------------------|--------------|--------------------------------|-------------------|----------|

PALEONTOLOGY

| | | | | | | | |
|---|--|---|-------------------------------------|----------------------|--|---------|--|
| 1 | A Paleontological Mitigation Plan (PMP) will be developed and implemented | N | Consultant Archaeologist | PS&E Construction | | PIR/PER | |
| 2 | A Paleontological Mitigation Report (PMR) will be prepared and submitted to the lead agencies | N | Resident Engineer Archaeologist | PS&E Construction | | PIR/PER | |
| 3 | A pre-construction field survey will be conducted in areas of high paleontological sensitivity | N | Resident Engineer Paleontologist | Pre-construction | | PIR/PER | |
| 4 | Attendance is required at a pre-grade meeting by a qualified paleontologist or representative who will explain the likelihood for encountering paleo resources and the methods of recovery | N | Paleontologist | Pre-construction | | PIR/PER | |

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|--|-------------|------------------------------|--------------|-----------------------------------|----------------------|----------|
| 5 | A qualified vertebrate paleontological monitor will initially be present full-time whenever excavation occurs within sediments that have a high paleontological sensitivity rating and on a spot-check basis in sediments that have a low sensitivity rating | N | Paleontologist | Construction | | PIR/PER | |

NCCP CONSTRUCTION MINIMIZATION GUIDELINES

| | | | | | | | |
|---|---|---|--|------------------|--|-----|--|
| 1 | Avoidance of the primary nesting season, February 15 through July 15, for the California Gnatcatcher | N | Contractor Resident Engineer Biologist | Construction | | DFG | |
| 2 | All areas of habitat to be avoided by construction personnel should be marked with temporary fencing visible to all construction personnel. Prior to the construction disturbance, the project biologist should survey adjacent areas within 100 feet of outer extent of construction disturbance for CAGN and cactus wren. Any positive observations should be marked and identified on construction plans | N | Contractor Resident Engineer Biologist | Pre-construction | | DFG | |
| 3 | A project biologist should be onsite during initial ground disturbances and vegetation removal. The project biologist should ensure that sensitive species (e.g. Species of Special Concern) and less mobile species are removed from harms way prior to ground project biologist may relocate | N | Contractor Resident Engineer Biologist | Construction | | DFG | |

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|--|-------------|--|------------------|-----------------------------------|----------------------|----------|
| | animals in consultation with the Department | | Contractor | | | | |
| 4 | No construction access, parking, or storage of equipment should be permitted within marked areas | N | Resident Engineer | Construction | | DFG | |
| 5 | In areas bordering the NCCP reserve or Special Linkage/ Special Management Areas vehicle transportation routes between cut-and-fill routes should be restricted to a minimum | N | Contractor Resident Engineer | Construction | | DFG | |
| 6 | Waste and rubble should not be deposited adjacent to habitat identified in the NCCP for protection. Preconstruction meetings involving the biologist, construction supervisors, and equipment operators should be conducted and documented to ensure adherence | N | Contractor Resident Engineer Biologist | Pre-construction | | DFG | |
| 7 | Habitat identified within the NCCP and within the likely dust drift radius of the construction area should be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the project biologist | N | Contractor Resident Engineer Biologist | Construction | | DFG | |

MIGRATORY BIRDS

| | | | | | | | |
|---|--|---|--|--------------|--|-----|--|
| 1 | Proposed project activities (including disturbances to native and non-native vegetation, structures, and substrates) should take place outside of the general nesting bird season (February 15 through September 15) to avoid disturbances which could cause abandonment of active nests | N | Contractor Resident Engineer Biologist | Construction | | DFG | |
|---|--|---|--|--------------|--|-----|--|

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|---|-------------|--|------------------------------------|-----------------------------------|---------------------------|----------|
| 3 | <p>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</p> | | <p align="center">Contractor Resident Engineer Biologist</p> | <p align="center">Construction</p> | | <p align="center">DFG</p> | |

BIOLOGY

| | | | | | | | |
|---|--|--|---|---|--|---------------------------|--|
| 1 | <p>Design measures shall include a modified smaller impact area at the top of the slope at Basin 780R in order to reduce impacts to the CSS</p> | | <p align="center">Project Engineer</p> | <p align="center">Design</p> | | <p align="center">NES</p> | |
| 2 | <p>Prior to clearing or construction, highly visible barriers (such as orange construction fencing) will be installed around CSS adjacent to the project footprint to designate ESAs to be preserved. No grading or fill activity of any type will be permitted within these ESAs. In addition, heavy equipment, including motor</p> | | <p align="center">Resident Engineer</p> | <p align="center">Pre- construction</p> | | <p align="center">NES</p> | |

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|---|-------------|------------------------------------|----------------------|-----------------------------------|----------------------|----------|
| | vehicles, will not be allowed to operate within the ESAs | | | | | | |
| 3 | All construction equipment will be operated in such a manner as to prevent accidental damage to nearby preserved areas. No structure of any kind, or incidental storage of equipment or supplies, will be allowed within these protected zones | | Resident Engineer Contractor | Construction | | NES | |
| 4 | Silt fence barriers will be installed at the ESA boundary to prevent accidental deposition of fill material in areas where vegetation is immediately adjacent to planned grading activities | | Resident Engineer Contractor | Pre- construction | | NES | |
| 5 | In order to avoid impacts to nesting birds, any native vegetation removal or tree (native or exotic) trimming activities will occur outside of the nesting season (February 15–August 31) | | Resident Engineer Contractor | Construction | | NES | |
| 6 | In the event that vegetation clearing is necessary during the nesting season, a qualified biologist will conduct a preconstruction survey to identify the locations of nests. Should nesting birds be found, an exclusionary buffer will be established by the biologist. This buffer should be clearly marked in the field by construction personnel under the guidance of the biologist, and construction or clearing will not be conducted within this zone until the biologist determines that the young have | | Resident Engineer Biologist | Pre- construction | | NES | |

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|---|-------------|---------------------------------|--------------|-----------------------------------|----------------------|----------|
| | fledged or the nest is no longer active | | | | | | |
| 7 | Inspection and cleaning of construction equipment will be performed to minimize the importation of nonnative plant material, and eradication strategies (i.e., weed abatement programs) would be employed should an invasion occur | | Resident Engineer Contractor | Construction | | NES | |
| 8 | A biologist will monitor all construction activities for the duration of the project in areas adjacent to ESA boundaries to flush any wildlife species present prior to construction and to ensure that vegetation removal, BMPs, ESAs, and all avoidance and minimization measures are properly adhered to | | Resident Engineer Biologist | Construction | | NES | |

WATER QUALITY

| | | | | | | | |
|---|--|--|---------------------------------|--------------|--|-----|--|
| 1 | Best Management Practices (e.g., herbicide use procedures; vehicle maintenance, staging, storage, and dispensing of fuel) will be required by the Department and may also be required by the RWQCB to comply with NPDES requirements | | Resident Engineer Contractor | Construction | | NES | |
|---|--|--|---------------------------------|--------------|--|-----|--|

CLIMATE CHANGE

| | | | | | | | |
|---|---|--|---------------------------------|--------------|--|----|--|
| 1 | According to Caltrans Standard Specification Provisions, idling time for lane closure during construction is restricted to ten minutes in each direction; in addition, the contractor must comply with the Orange County Air Quality Management District's pollution control rules, | | Resident Engineer Contractor | Construction | | IS | |
|---|---|--|---------------------------------|--------------|--|----|--|

ENVIRONMENTAL COMMITMENTS

| NO. | DESCRIPTION OF COMMITMENT | NSSP Y/N | RESPONSIBLE PARTY/MONITOR | TIMING/PHASE | TASK COMPLETED (Sign and Date) | COMMITMENT SOURCE | COMMENTS |
|-----|--|-------------|------------------------------|--------------|-----------------------------------|----------------------|----------|
| | ordinances, and regulations in regards to air quality restrictions | | | | | | |

PERMITS

| Agency | Issue Date | Type | Expiration Date |
|--|-------------------|-------------|------------------------|
| Army Corps of Engineers | TBD | | 404 |
| Regional Water Quality Control Board | TBD | | 401 |
| California Department of Fish and Game | TBD | | 1602 |

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

The first public notice ran in the Orange County Register
The second public notice ran in The Current
Both notices began circulation on April 23, 2010



Public Notice

Notice of Intent to Adopt a Proposed Mitigated Negative Declaration. Study Results Available.

Do you want a public hearing for changes proposed for SR-73?

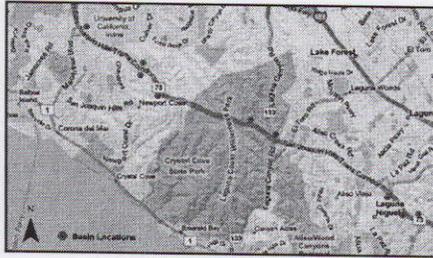


| | |
|-----------------------------|---|
| WHAT'S BEING PLANNED | CALTRANS (California Department of Transportation) is proposing to implement erosion control measures to prevent sediment from accumulating in nine stormwater detention basins along SR-73 from MacArthur Boulevard in the city of Irvine to south of Greenfield Drive in the city of Laguna Hills. |
| 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 environment. The report that explains why is called an Initial Study/Proposed Mitigated Negative Declaration. This notice is to tell you of the preparation of the Initial Study and Proposed Mitigated Negative Declaration and of its availability for you to read. |
| WHAT'S AVAILABLE | Maps for the Initial Study and Proposed Mitigated Negative Declaration and other project information are available for review and copying at the CALTRANS District 12 Office, 3347 Michelson Drive, Suite 100, Irvine, CA 92612-0661 on weekdays (M-Th) from 8:00 AM to 5:00 PM. The documents are also located at the Heritage Park regional library at 14361 Yale Avenue, Irvine, and the Wheeler Kate branch library at 13109 Old Myford Road, Irvine, and on line at: http://www.dot.ca.gov/dist12/docs/SR73_IS.htm . |
| WHERE YOU COME IN | Do you have any comments about processing the project with an Initial Study and Proposed Mitigated Negative Declaration? Do you disagree with the findings of our study as set forth in the Proposed Mitigated 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 a public hearing in writing no later than May 24 to Smita Deshpande, CALTRANS District 12, 3347 Michelson Drive, Suite 100, Irvine, CA 92612-1692. The date we will begin accepting comments is April 23 . 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 Edward Dolan at CALTRANS (949) 724-2128 or email to: SR73IS_D12@dot.ca.gov |



Public Notice

**Notice of Intent to Adopt a Proposed Mitigated
Negative Declaration. Study Results Available.
Do you want a public hearing for changes
proposed for SR-73?**



| | |
|-----------------------------|---|
| WHAT'S BEING PLANNED | CALTRANS (California Department of Transportation) is proposing to implement erosion control measures to prevent sediment from accumulating in nine stormwater detention basins along SR-73 from MacArthur Boulevard in the city of Irvine to south of Greenfield Drive in the city of Laguna Hills. |
| 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 environment. The report that explains why is called an Initial Study/Proposed Mitigated Negative Declaration. This notice is to tell you of the preparation of the Initial Study and Proposed Mitigated Negative Declaration and of its availability for you to read. |
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| WHERE YOU COME IN | Do you have any comments about processing the project with an Initial Study and Proposed Mitigated Negative Declaration? Do you disagree with the findings of our study as set forth in the Proposed Mitigated 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 a public hearing in writing no later than May 24 to Smita Deshpande, CALTRANS District 12, 3347 Michelson Drive, Suite 100, Irvine, CA 92612-1692. The date we will begin accepting comments is April 23 . 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 Edward Dolan at CALTRANS (949) 724-2128 or email to: SR73IS_D12@dot.ca.gov . |

Appendix D- Response to Public Comments

San Joaquin Hills
Corridor Agency

Chairman:
Linda Lindholm
Laguna Niguel



TRANSPORTATION CORRIDOR AGENCIES

Foothill/Eastern
Corridor Agency

Chairman:
Peter Herzog
Lake Forest

June 10, 2010

Ms. Smita Deshpande
Caltrans, District 12
3347 Michelson, Suite 100
Irvine, CA 92612-1692

Subject: Storm Water Basin Stability and Slope Stabilization Project;
Initial Study with Proposed Mitigated Negative Declaration (MND)

Dear Ms. Deshpande:

The Transportation Corridor Agencies (TCA) has reviewed the above Subject document and offers the following comments for your consideration.

The TCA has more than 2,100 acres of open space, and is a participating landowner and major funding entity of Orange County's Central/Coastal Subregion of the Natural Community Conservation Plan (NCCP), as well as an outstanding history in providing environmental excellence in all of its projects. The TCA is committed to working with the various departments within Caltrans to identify activities that will ensure our projects long term environmental sustainability.

The MND states that the project is not within or near any established IICP or NCCP; however, the SR 73 is directly adjacent to the Coastal NCCP Subregion and as such, we suggest that Caltrans coordinate any project activities with the Nature Reserve of Orange County and implement their construction minimization measures as part of this project. We also strongly recommend maintenance activities and practices that enhance and promote vegetation growth on outside shoulders and in the median.

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Additionally, and for purposes of record keeping, we requests copies of any correspondence between US Fish and Wildlife Service and Caltrans that discusses any impacts to our existing mitigation areas. We also request copies of the specifications for revegetating these disturbed areas.

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Furthermore, the subject project includes some slope repairs. As such, the TCA has specific recommendations on how to build the slope faces and their need for compaction. Our engineers are available to meet with your designers to provide this input directly. In lieu of this, we recommend that Caltrans adopt the County Grading Standards for slopes, including 30' terrace drains that are self-cleaning. These have a history of success throughout the development of Orange County.

2
3

Thomas E. Margro, Chief Executive Officer

125 PACIFICA, SUITE 100, IRVINE CA 92618-3304 • P.O. BOX 53770, IRVINE CA 92619-3770 • 949/754-3400 • FAX 949/754-3487
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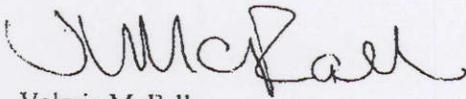
Ms. Smita Deshpande
June 9, 2010
Page 2 of 2

Lastly, the TCA is interested in receiving copies of any hydrology studies prepared in connection with this project.

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4

Please continue to keep us apprised of the project's schedule, so we can communicate this information to our Board of Directors, as well as any members of public that may inquire about the project. Should you have any questions regarding these comments, please feel free to contact me directly at (949) 754-3475.

Sincerely,



Valarie McFall
Deputy Director
Environmental Planning

cc: Sam Elters, TCA
Document Control

Responses to Comments

1-1) **Comment:** The project area is near the Coastal NCCP subregion and there should be coordination with the Nature Reserve of Orange County. NROC construction minimization measures should be implemented.

Response: Caltrans Environmental Planning contacted the Nature Reserve of Orange County on 6/16/10. The Reserve has provided Caltrans with a copy of their construction-related minimization measures from the joint EIR/EIS for the Central/Coastal Orange County NCCP/HCP. The minimization measures have been incorporated into the environmental commitment record (ECR) for the project.

1-1) **Comment:** Implement maintenance practices that enhance and promote vegetation growth on the shoulders and in the median.

Response: Maintenance has the responsibility to protect the roadway, which includes maintaining an 8'-10' buffer along the shoulder. This allows maintenance to inspect the roadway pavement structure as well as fire suppression. Roadway safety is Caltrans first consideration. Areas beyond the buffer will be vegetated using native plant seed mixes to blend with the surrounding area.

1-2) **Comment:** Provide copies of correspondence with the U.S. Fish and Wildlife Service for any activities that impact existing mitigation areas.

Response: Caltrans Environmental Planning will include The TCA in any future correspondence with the U.S. Fish and Wildlife Service for impacts to mitigation areas on SR-73.

1-2) **Comment:** Provide copies of specifications for re-vegetating disturbed areas.

Response: Copies of the planting specifications will be provided to TCA.

1-3) **Comment:** Coordinate with The TCA engineers on slope repair strategies.

Response: Caltrans Geotech Engineers will provide the design for the slope repair area. The Geotech Engineers comply with Caltrans standards and policies. We will forward your offer for engineering slope input and terrace drain information to the Caltrans Geotech Engineers. They can contact you directly for any assistance that they may require.

1-4) **Comment:** Provide copies of any hydrology studies.

Response: Caltrans has plans that show drains connected to the drainage basins to identify the limits of possible sediment pollution into the basins. That is the extent of any hydrology studies prepared for this project. There are no hydrology calculations. These drain lines will be provided on the final plans.



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



June 7, 2010

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

**Subject: Comments on Proposed Mitigated Negative Declaration (MND) for
Stormwater Basin Stability and Slope Stabilization Project,
SCH# 2010041077, Orange County, CA**

2d10051014

Dear Ms. Deshpande:

The California Department of Fish and Game (Department) has reviewed the above-referenced MND for the Stormwater Basin Stability and Slope Stabilization Project. 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 §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 §2050 et seq.) and Fish and Game Code Section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) Program.

The proposed project extends along State Route 73 (SR-73) from MacArthur Boulevard in the City of Irvine to south of Greenfield Drive in the city of Laguna Hills. This section of SR-73 is located adjacent to reserve lands associated with the NCCP.

The SR-73 was constructed with a system of storm water basins that treat surface runoff from the highway prior to discharge to natural drainages. Previous water quality monitoring detected an excessive amount of sediment being transported to the basins. The project proposes to alter nine storm water basins by re-stabilizing the basin slopes and drainage network in the medians to provide source control of sediment. The objective of the project is to improve filtering capacity of the nine storm water basins.

The Department offers the following comments and recommendations to assist the California Department of Transportation (CalTrans) in avoiding, minimizing, and mitigating potential project impacts on biological resources from the proposed project.

Department Streambed Jurisdictional Impacts

The Department has regulatory authority with regard to activities occurring in streams and/or lakes that could adversely affect any fish or wildlife resource. For any activity that will divert or obstruct the natural flow or change the bed, channel, or bank (which may include associated riparian resources) of a river, stream or lake, or use material from a streambed, the project applicant must provide written notification to the Department pursuant to Section 1600 et seq. of the Fish and Game Code. Based on the notification and other information,

Conserving California's Wildlife Since 1870

Smita Deshpande
June 7, 2010
Page 2 of 6

the Department then determines whether a Lake and Streambed (LSA) Agreement is required. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a responsible agency. The Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency's) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to Section 1600 et seq. and/or under CEQA, the final document should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA. A Lake and Streambed Alteration notification form may be obtained by writing to the Department of Fish and Game, 4949 Viewridge Avenue, San Diego, California 92123-1662, calling (858) 636-3160, or accessing the Department's web site at www.dfg.ca.gov/1600.

The MND does not adequately disclose whether the project would be impacting the bed, bank, or channel of streams or tributaries. The final CEQA document should discuss the need for CalTrans to notify the Department pursuant to Section 1600 et seq. of the Fish and Game Code. If the final CEQA document determines that the proposed project would not be altering bed, bank (which may include associated riparian resources), or channel of streams or tributaries associated with the project, then evidence to support this independent judgment should be disclosed in the final CEQA document.

} 1

Environmental Baseline

The draft MND does not adequately describe the existing physical environment. Compliance with CEQA is adequately performed by disclosing a complete and accurate description of the environmental setting. The absence of a complete and accurate description of the existing physical environment in and around the project site(s) provides and incomplete analysis of project related environmental impacts.

} 2

The Initial Study (IS) checklist indicates "No Impact" for effects on federally protected wetlands (Biological Resources section 2.4 (c)) and a "Less Than Significant Impact" for substantial adverse effects on riparian habitat (Biological Resources section 2.4 (b)). The IS (pg. 8) references a technical study performed in 2009 to support findings in the Biological Resource Section, but this study was not attached to the MND for the Department's review. Additionally, while the IS checklist discloses a "Less Than Significant Impact" for substantial adverse effects on riparian habitat the supporting discussion concludes "no impacts to riparian habitat will occur due to the proposed project activities." Conversely, when the IS checklist concludes "No Impact" for effects on federally protected wetlands the subsequent discussion indicates the project would be applying for Section 404 & 401 permits for impacts to federal and state wetlands, respectively (pg. 8 & 9).

} 3

The MND discloses that the project would have an undetermined effect on federal and state protected wetlands, and the project would affect riparian habitat. Further analysis is required in the MND to distinguish between direct effects and reasonably foreseeable indirect effects that could result from project implementation. The thresholds that CalTrans is applying for determining the significance of effects on sensitive biological resources and to other significant biological resources should be defined in the CEQA document. CEQA encourages each lead agency to develop thresholds of significance to aid that agency in determining the significance of environmental effects (CEQA Guidelines, §§15064.7(a) and 15022(13)(b)).

} 4

Smita Deshpande
June 7, 2010
Page 3 of 6

Effects on Wetlands

The CEQA document must propose feasible mitigation measures to address significant effects on sensitive biological resources that are capable of being implemented (CEQA Guidelines §15126.4). These should be formulated in the CEQA document and not deferred to a later time. The unanalyzed potential significant effect on federal wetlands and the absence of any proposed avoidance, minimization, or compensatory mitigation measures (IS section 2.4.2, pg. 9) could result in significant adverse effects resulting from project implementation. } 5

The Department has a no-net-loss policy regarding impacts to wetlands. The disturbance of wetlands could result in significant disturbance of species that utilize wetlands for all or part of their life cycle. Because habitat alteration is the largest contributor to non-fish species becoming listed as candidate, threatened, and endangered in California the project may result in significant adverse impacts (Johnson, 2005, pg. 31). Seventeen avian species alone are dependent on California wetlands (USFWS 1993; USDO/USFWS 1998). In the event that a 404 permit is not required over the wetlands, on site, avoidance, minimization, and/or compensatory mitigation will still be needed to meet the Department's no-net-loss policy. } 6

NCCP Construction Minimization Guidelines

The draft MND does not adequately describe how the project would be conducted. As mentioned above, the absence of a complete and accurate project description provides an incomplete assessment of project-related environmental impacts. } 7

The Initial Study indicates "No Impact" for effects that conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The IS did not reference substantial evidence for a "No Impact" conclusion. The project is located adjacent to large portions of the Orange County Coastal sub-region NCCP reserve, and impacts to the reserve may reasonably occur without adequate avoidance and minimization measures. } 8

Because the project is located adjacent to the NCCP reserve and California gnatcatcher (*Poliioptila californica*; CAGN) (federally endangered) are referenced in the MND as occurring in the area, the Department recommends the project comply with NCCP Construction-Related Minimization Measures. The Department has summarized the guidelines. To review the full guidelines from Part III of the NCCP/ Habitat Conservation Plan Joint EIR/EIS direct an internet browser to <http://www.naturereserveoc.org/documents.htm>. Refer to Section 7.5.3.

- a. Avoidance of the primary nesting season, February 15 through July 15, for CAGN.
- b. All areas of habitat to be avoided by construction personnel should be marked with temporary fencing visible to all construction personnel. Prior to construction disturbance the project biologist should survey adjacent areas within 100 feet of outer extent of construction disturbance for CAGN and cactus wren. Any positive observations should be marked and identified on construction plans.
- c. A project biologist should be on site during initial ground disturbances and vegetation removal. The project biologist should ensure that sensitive species (e.g. Species of Special Concern) and less mobile species are removed from harms way prior to ground

- disturbances. If feasible the project biologist may relocate animals in consultation with the Department.
- d. No construction access, parking, or storage of equipment should be permitted within marked areas.
 - e. In areas bordering the NCCP reserve or Special Linkage/Special Management Areas vehicle transportation routes between cut-and-fill routes should be restricted to a minimum.
 - f. Waste and rubble should not be deposited adjacent to habitat identified in the NCCP for protection. Preconstruction meetings involving the project biologist, construction supervisors, and equipment operators should be conducted and documented to ensure adherence.
 - g. Habitat identified within the NCCP and within the likely dust drift radius of construction area should be periodically sprayed with water to reduce accumulated dust on the leaves as recommended by the project biologist.

Disturbance of Migratory & Nesting 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. §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).

The MND does not contain mitigation measures or project changes that are adequate to avoid or reduce significant impacts to migratory and nesting birds below a level of significance. The use of a Negative Declaration is appropriate only where there is no substantial evidence in light of the whole record that the proposed project may have a significant effect on the environment.

The IS checklist indicates a "Less Than Significant Impact" regarding substantial adverse impacts to sensitive species (pg. 8 section 2.4 (a)). Support for this conclusion is stated in the IS on page 8 as "no project activities will occur during the nesting season in or near areas where presence was detected [California gnatcatcher] or is likely to occur for any listed bird species". The technical study that documents other wildlife use in and around the proposed project site(s) was not attached to the MND for the Department's review.

Language committing CalTrans to avoid the general nesting bird season (February 15 to September 15) is not incorporated into the MND's Avoidance, Minimization, or Mitigation measures (section 2.4.2), and the project description does not disclose the specific dates for work activities or commit to avoiding the general nesting bird season. Because the MND only commits to avoidance for listed bird species (e.g. CAGN) and does not identify the time period work activities, it is likely that nesting birds could be adversely affected by proposed project.

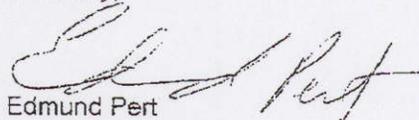
To avoid and minimize disturbance to migratory birds the Department recommends the following:

- a. Proposed project activities (including disturbances to native and non-native vegetation, structures, and substrates) should take place outside of the general nesting bird season (February 15 through September 15) to avoid disturbances which could 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 §86).
- b. As discussed in the NCCP Construction Minimization Guidelines and above, the proposed project must avoid construction during the CAGN nesting season (February 15 through July 15). If avoidance of construction between July 15 to 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.
 - c. 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.

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

Attachment (1)

REFERENCES:

- Johnson, M. 2005. Transactions of the Western Section of The Wildlife Society. Habitat Quality: A Brief Review for Wildlife Biologists. Vol. 41 pg.31-41.
- USDOI/USFWS. 1998. Biological Effects of Selenium and Other Contaminants Associated with Irrigation Drainage in the Salton Sea Area, California 1992-1994.
- USFWS. 1993. Letter from the Service to the Corps Re: Public Notice No. 92-724-RS, Channelization of Murrieta Creek. 12 April 1993.

cc: Matt Chirdon, CDFG, Oceanside
State Clearinghouse, Sacramento

Responses to Comments

- 2-1) **Comment:** The MND does not adequately disclose whether the project would be impacting the bed, bank or channel of streams or tributaries. If it is determined that there will be no impact, evidence to support that conclusion should be disclosed in the final CEQA document.

Response: See section 2.4.3.1 of the Biological Resources section of Initial Study

- 2-2) **Comment:** The draft MND does not adequately describe the physical environment. The absence of a complete and accurate description of the existing physical environment in and around the project site(s), provides an incomplete analysis of project related environmental impacts.

Response: See section 2.4 of the Biological Resources section of the Initial Study

- 2-3) **Comment:** The IS checklist indicates "No Impact" to federally protected wetlands and a "Less than Significant Impact" for adverse effects on riparian habitat. The discussion section indicates "no impacts to riparian habitat will occur due to the proposed project activities."

The referenced technical study prepared in 2009 was not attached for the Department's review.

Response: The Less Than Significant Impact designation on the Initial Study checklist is referring to Coastal Sage Scrub Natural Community impacts not to riparian habitat.

The Natural Environmental Studies are attached in CD form.

- 2-4) **Comment:** Further analysis is required in the MND to distinguish between direct effects and reasonably foreseeable indirect effects on federal and state wetlands and riparian habitat.

Thresholds of significance for effects on biological resources should be defined in the document.

Response: See section 2.4.1.3 of the Biological Resources section of the Initial Study.

Caltrans uses standard CEQA thresholds of significance. This section has been evaluated according to those thresholds.

- 2-5) **Comment:** The CEQA document must propose feasible mitigation measures to address significant effects on biological resources.

Response: See section 2.4.1.4 of the Biological Resources section of the Initial Study and the Environmental Commitment Record.

2-6) **Comment:** In the event that a 404 permit is not required for the wetlands, on site, avoidance, minimization, and/or compensatory mitigation will still be needed to meet the Department's no-net-loss policy.

Response: See section 2.4.3 of the Biological Resources section of the Initial Study

2-7) **Comment:** The draft MND does not adequately describe how the project would be conducted. The absence of a complete and accurate project description provides an incomplete assessment of project related environmental impacts.

Response: The project description has been updated.

2-8) **Comment:** The draft IS did not provide substantial evidence for the "no impact" conclusion on a HCP or NCCP.

Response: See section 2.2.1.4 of the Biological Resources section of the Initial Study

2-9) **Comment:** The MND does not contain mitigation measures or project changes that are adequate to avoid or reduce significant impacts to migratory and nesting birds below a level of significance.

Response: See section 2.2.1.4 of the Biological Resources section of the Initial Study

2-10) **Comment:** The technical study that documents other wildlife use in and around the project sites(s) was not attached for the Department's review.

Response: The Natural Environment Studies are attached

2-11) **Comment:** Language committing Caltrans to avoid the general nesting bird season (Feb 15 to Sept. 15) is not incorporated in the MND's avoidance, minimization or mitigation measures and the PD does not disclose the specific dates for work activities or commit to avoiding the general nesting bird season.

Response: See section 2.2.1.4 of the Biological Resources section of the Initial Study

Appendix E – Categorical Exclusion

CATEGORICAL EXEMPTION/ CATEGORICAL EXCLUSION DETERMINATION FORM

12-ORA-73 10.0-24.5 0H4400
 Dist.-Co.-Rte. (or Local Agency) P.M/P.M. E.A. (State project) Federal-Aid Project No. (Local project)/ Proj. No.

PROJECT DESCRIPTION:

(Briefly describe project, purpose, location, limits, right-of-way requirements, and activities involved.)

To prevent sedimentation from entering into nine storm water basins on SR-73, impairing the filtering capability of the basins, it is proposed to implement various erosion control measures (e.g., slope grading, bare soil treatment). The basins are located from MacArthur Boulevard in the city of Irvine to south of Greenfield Drive in the city of Laguna Hills. The basins are located within the State right-of-way. The project has State and federal funding.

CEQA COMPLIANCE *(for State Projects only)*

Based on an examination of this proposal, supporting information, and the following statements (See 14 CCR 15300 et seq.):

- If this project falls within exempt class 3, 4, 5, 6 or 11, it does not impact an environmental resource of hazardous or critical concern where designated, precisely mapped and officially adopted pursuant to law.
- There will not be a significant cumulative effect by this project and successive projects of the same type in the same place, over time.
- There is not a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances.
- This project does not damage a scenic resource within an officially designated state scenic highway.
- This project is not located on a site included on any list compiled pursuant to Govt. Code § 65962.5 ("Cortese List").
- This project does not cause a substantial adverse change in the significance of a historical resource.

CALTRANS CEQA DETERMINATION

Exempt by Statute. (PRC 21080[b]; 14 CCR 15260 et seq.)

Based on an examination of this proposal, supporting information, and the above statements, the project is:

- Categorically Exempt Section 15301, Class ____ (PRC 21084; 14 CCR 15300 et seq.)
- Categorically Exempt General Rule exemption. [This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (CCR 15061[b][3])]

Print Name: Environmental Branch Chief

N/A

Signature

Date

Print Name: Project Manager/DLA Engineer

N/A

Signature

Date

NEPA COMPLIANCE

In accordance with 23 CFR 771.117, and based on an examination of this proposal and supporting information, the State has determined that this project:

- does not individually or cumulatively have a significant impact on the environment as defined by NEPA and is excluded from the requirements to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS), and
- has considered unusual circumstances pursuant to 23 CFR 771.117(b)
<http://www.fhwa.dot.gov/hep/23cfr771.htm> - sec.771.117.

In non-attainment or maintenance areas for Federal air quality standards, the project is either exempt from all conformity requirements, or conformity analysis has been completed pursuant to 42 USC 7506(c) and 40 CFR 93.

CALTRANS NEPA DETERMINATION

Section 6004: The State has been assigned, and hereby certifies that it has carried out, the responsibility to make this determination pursuant to Chapter 3 of Title 23, United States Code, Section 326 and a Memorandum of Understanding (MOU) dated June 7, 2007, executed between the FHWA and the State. The State has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c) (___)
- 23 CFR 771.117(d): activity (d) (___)
- Activity 1 listed in the MOU between FHWA and the State

Section 6005: Based on an examination of this proposal and supporting information, the State has determined that the project is a CE under Section 6005 of 23 U.S.C. 327.

SMITA DESHPANDE
 Print Name: Environmental Branch Chief

Smita Deshpande
 Signature

April 21, 2010
 Date

Eric Dickson
 Print Name: Project Manager/DLA Engineer

[Signature]
 Signature

4/22/10
 Date

Briefly list environmental commitments on continuation sheet. Reference additional information, as appropriate (e.g., air quality studies, documentation of conformity exemption, FHWA conformity determination if Section 6005 project; §106 commitments; §4(f); §7 results; Wetlands Finding; Floodplain Finding; additional studies; and design conditions). Revised September 15, 2008

CATEGORICAL EXEMPTION/CATEGORICAL EXCLUSION DETERMINATION FORM
Continuation Sheet

| | | | |
|----------------------------------|-----------|----------------------|--|
| 12-ORA-73 | 10.0-24.5 | 0H4400 | |
| Dist.-Co.-Rte. (or Local Agency) | P.M/P.M. | E.A. (State project) | Federal-Aid Project No. (Local project)/ Proj. No. |

No significant environmental consequences are anticipated with the proposed project. In addition to the measures relating to construction noise, air pollution control, water pollution control, erosion, cultural resources, and any subsequent requirements as given in the Caltrans Standard Specifications, the following measures are required:

A Paleontological Mitigation Plan (PMP) will be prepared and implemented

A pre-construction field survey will be conducted in areas of high paleontological sensitivity

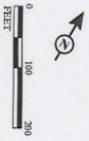
A qualified paleontologist will be required to attend a pre-grade meeting to discuss the likelihood for encountering paleontological resources

A qualified paleontological monitor will be present whenever excavation occurs within sediments that have a high sensitivity rating and on a spot-check basis in sediments that have a low rating

Appendix F – Basin Aerial Photos



Legend
 Stormwater Basin



SOURCE: Air Photo USA (2008)
 I:\CD\109\02\GIS\9Basins_Kodesr_201106\22\1156R.mxd (6/22/2010)

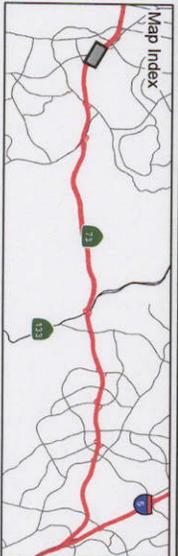
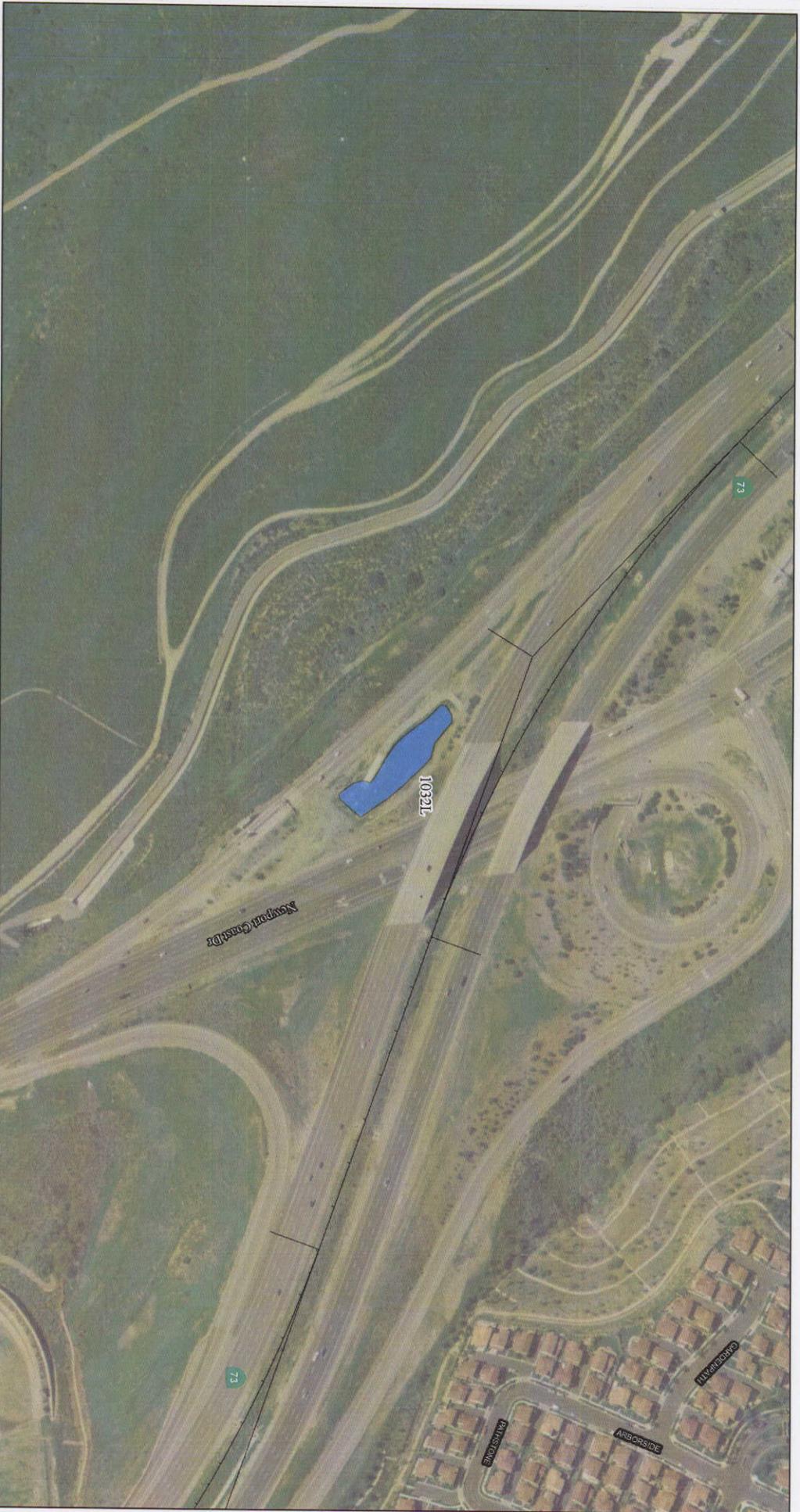
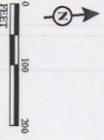


FIGURE 9

SR-73 Basin Sedimentation Project
 Basin 1156R
 12-ORA-73 PM 10/24.5
 EAF 0H4400



Legend
 Stormwater Basin



SOURCE: Air Photo, USA, (2008)
 I:\CD\10992\GIS\98basins_Kodest_20100622\1032L.mxd (6/22/2010)

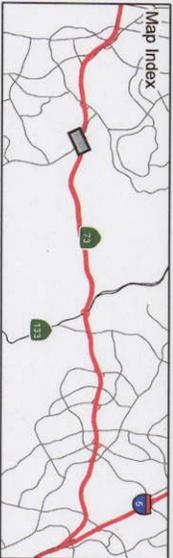


FIGURE 7

SF-73 Basin Sedimentation Project
 Basin 1032L
 12-ORA-73, PM 10/24.5
 EAF# 014400



Legend
 Stormwater Basin



SOURCE: Air Photo, USA, (2008)
 I:\CD\10902\GIS\SRbasins_Kedest_20100622\1032R.mxd (6/22/2010)

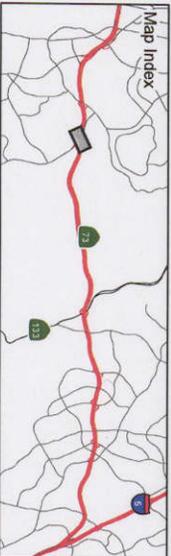
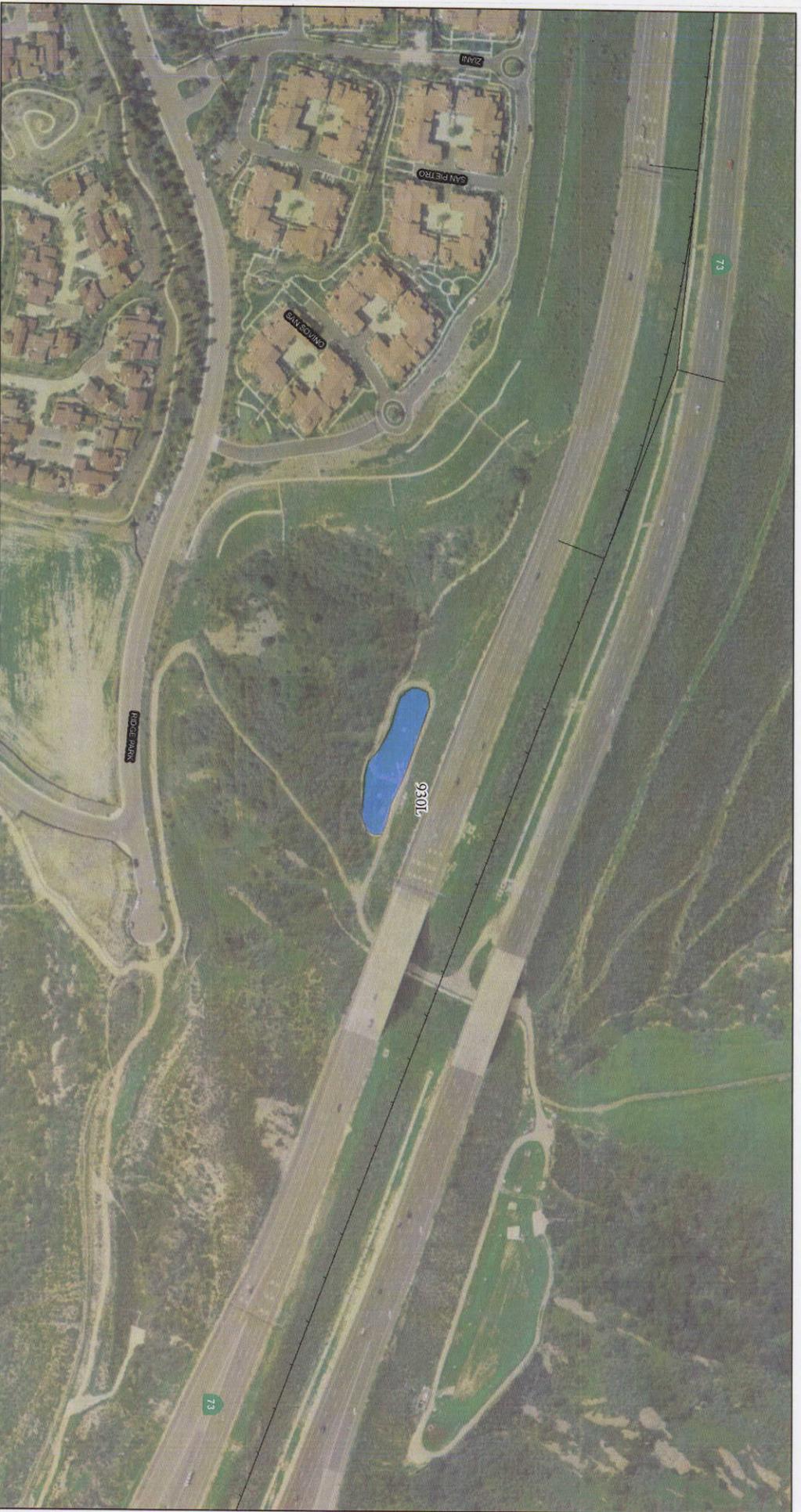
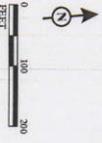


FIGURE 8

SR-73 Basin Sedimentation Project
 Basin 1032R
 12-ORA-73, PM 10/24.5
 EAF/ 014400



Legend
 Stormwater Basin



SOURCE: Air Photo USA (2008)
 I:\CD\T0902\GIS\930L\Basins_Kodest_20100623\930L.mxd (6/22/2010)

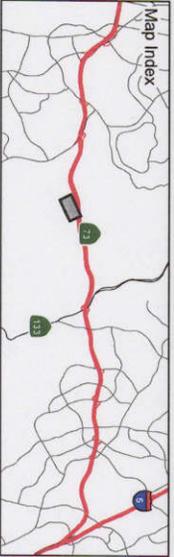
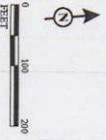


FIGURE 6

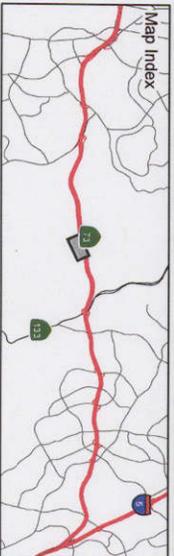
SR-73 Basin Sedimentation Project
 Basin 930L
 12-ORA-73 PM 10/24.5
 EAP 014400



Legend
 Stormwater Basin



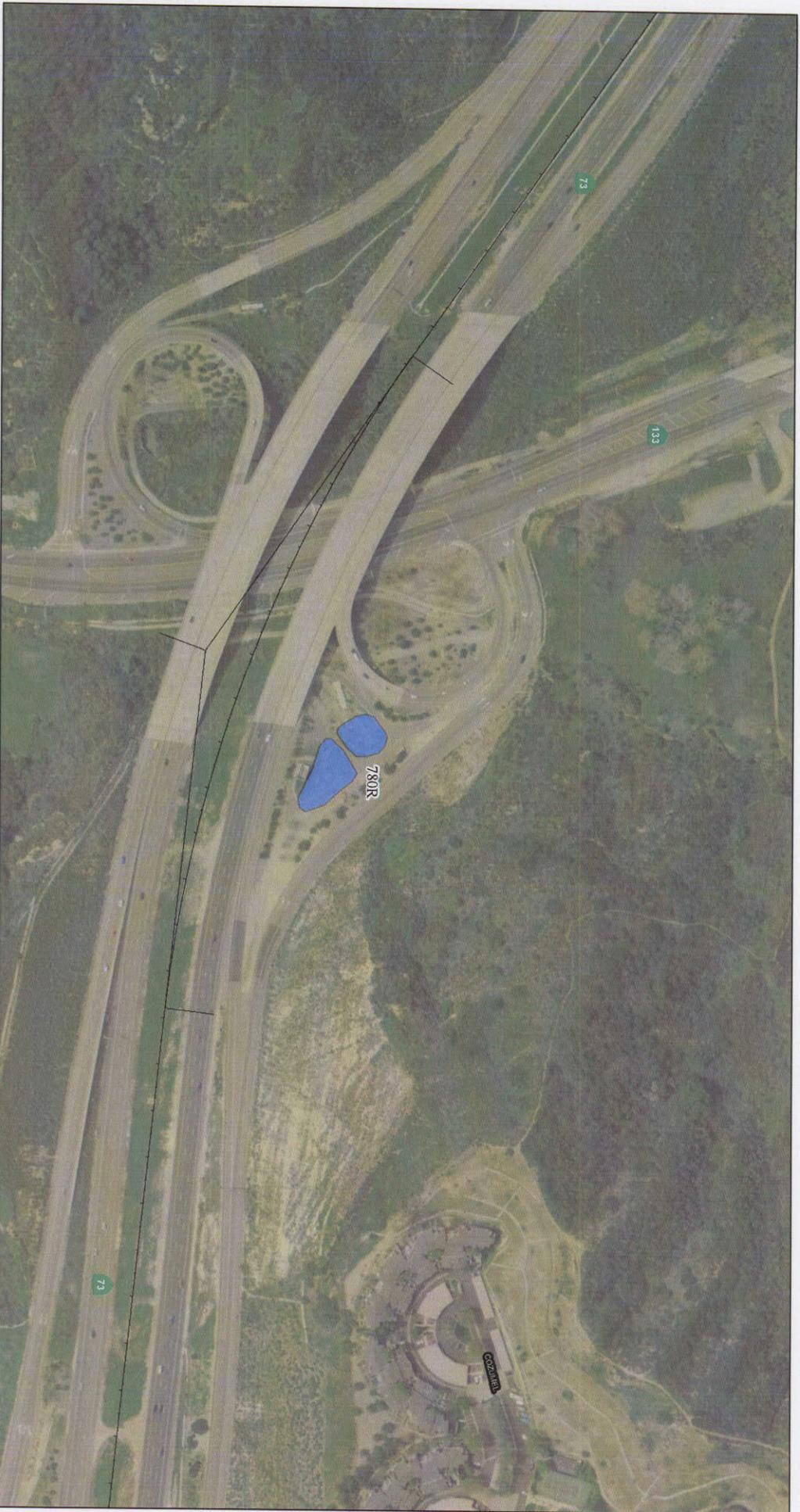
SOURCE: Air Photo, USA, (2008)
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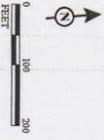
SR-73 Basin Sedimentation Project

Basin 878R
 12-ORA-73 PM 10/24.5
 EA# 014400

FIGURE 5



Legend
 Stormwater Basin



SOURCE: Air Photo, USA, (2008)
 I:\CD\109\GIS\98basins_Kedest_20100623\780R.mxd (6/22/2010)

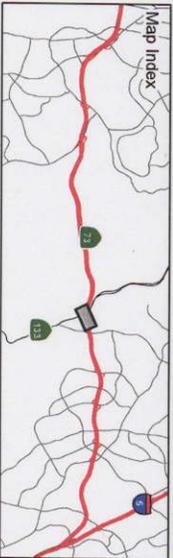
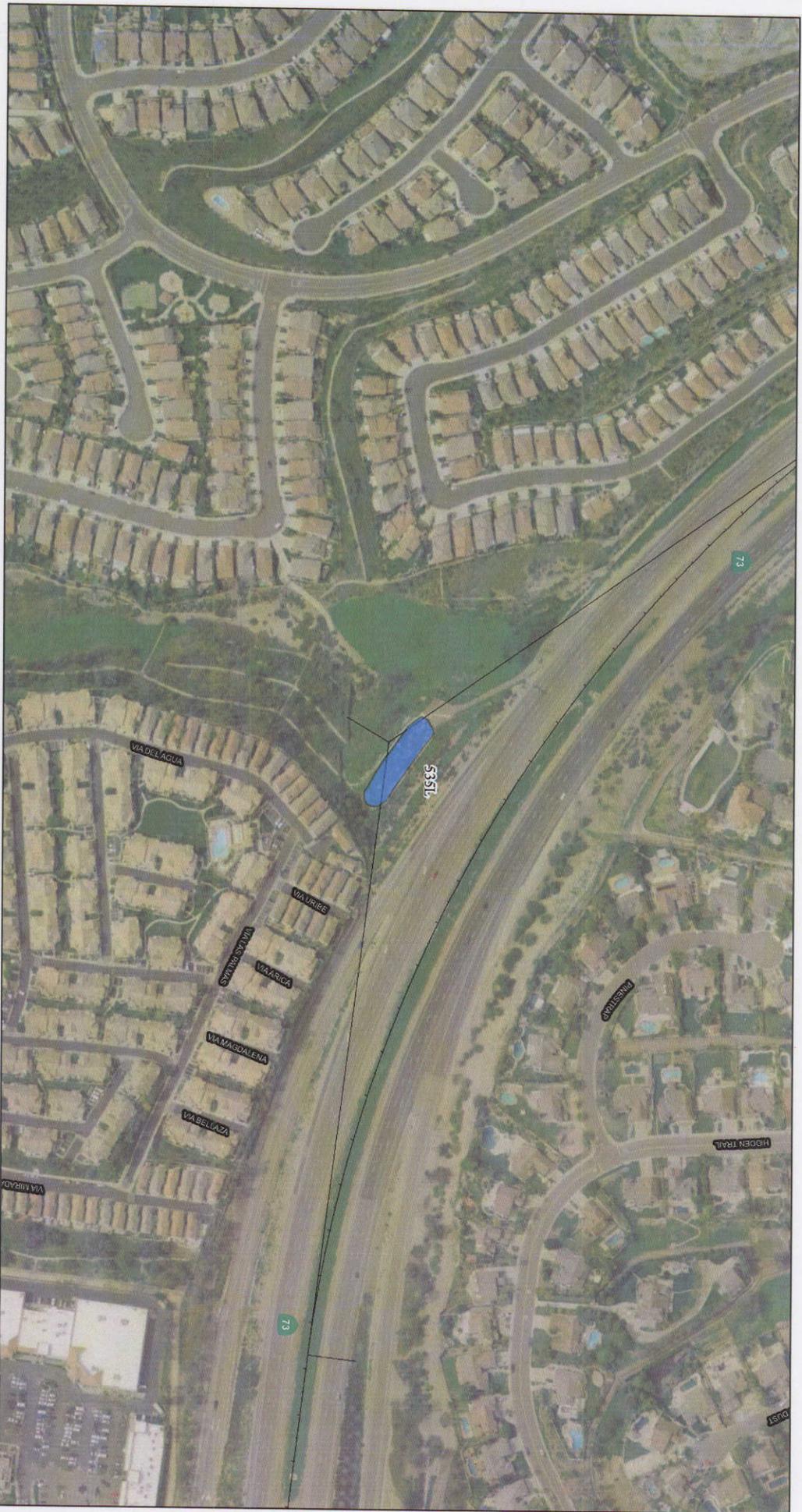


FIGURE 4

SR-73 Basin Sedimentation Project
 Basin 780R
 12-ORA-73 PM 10/24.5
 E# 014400



Legend
 Stormwater Basin



SOURCE: Air Photo USA (2008)

I:\CD\10902\GIS\Basins_Kendal_2010\623535L.mxd (6/22/2010)

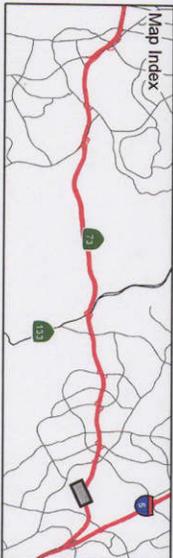
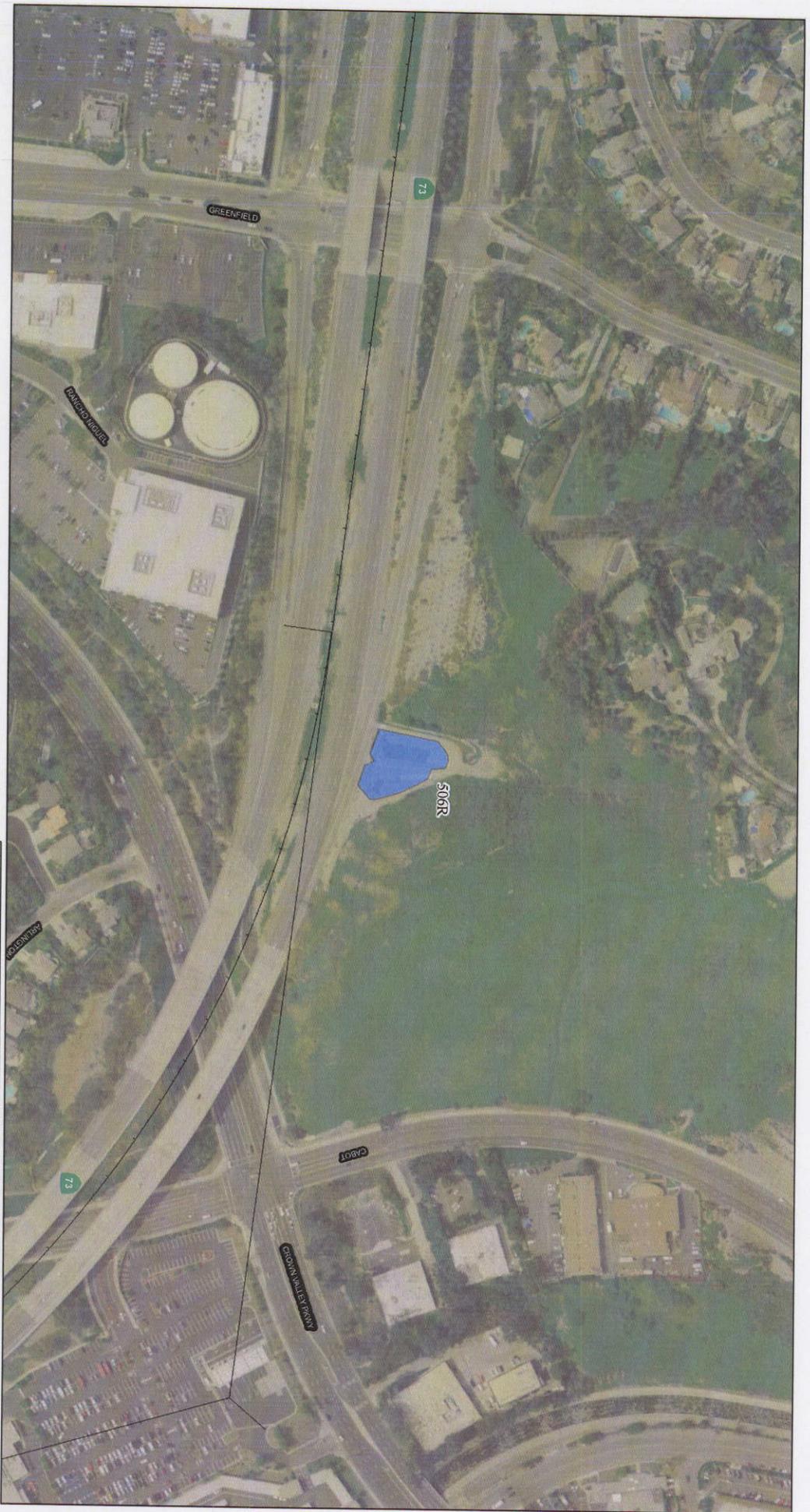


FIGURE 2

SR-73 Basin Sedimentation Project
 Basin 533L
 12-ORA-73 PM 10/24.5
 EA# 014400



Legend
 Stormwater Basin

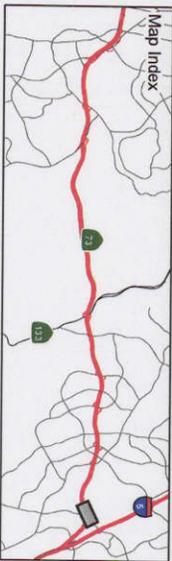


FIGURE 1

SR-73 Basin Sedimentation Project

Basin 506R

12-ORA-73 PM.10/24.5

EAF 0H4400

0 100 200
 FEET
 SOURCE: Air Photo USA (2008)
 I:\CD\T09\GIS\9Basins_Kedest_20100623\506R.mxd (6/22/2010)