

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding 07-LA-05, PM 0.0/6.3, 12-ORA-05, PM 42.2/44.4 Resolution E-08-09

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed a Final Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Interstate 5 in Los Angeles to Orange County – Construct new mixed flow and high occupancy vehicle (HOV) lanes from Interstate 5/605 Interchange in Los Angeles County to State Route 91 in Orange County.
- 1.2** **WHEREAS**, the Department has certified that the Final Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Final Environmental Impact Report; and
- 1.4** **WHEREAS**, written Findings indicate that specific economic, legal, social, technological, or other considerations make it infeasible to avoid or fully mitigate to a level less than significant the effects associated with noise impacts as a result of the project; and
- 1.5** **WHEREAS**, the above significant effects are acceptable when balanced against the facts as set forth in the Statement of Overriding Considerations.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby adopt those Findings and Statement of Overriding Considerations that support approval of the referenced project to allow for future consideration of funding.

CALIFORNIA DEPARTMENT OF TRANSPORTATION
CEQA FINDINGS
FOR THE
INTERSTATE 5 CORRIDOR IMPROVEMENT PROJECT
STATE ROUTE 91 TO INTERSTATE 605

The following information is presented to comply with California Environmental Quality Act Guidelines (Title 14 CCR Chapter 3, Section 15091) and of the Department of Transportation Environmental Regulations (Title 21 CCR Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (EIR) for the project, which is the basis for the following determinations.

The following adverse effects have been identified in the Final EIR as resulting from the project. Only effects found to be significant have been included.

AESTHETICS

Adverse Environmental Effect:

Construction lighting will generate light and glare that could intrude into residences and impede motorists' ability to drive.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

During the construction phase, appropriate light shielding equipment will be used to prevent light and glare impacts from construction lighting that could intrude into residences and impede motorists' ability to drive. The Route 5 Corridor Aesthetic Subcommittee has developed a community based aesthetic theme, including aesthetic treatments of soundwalls and structures, and landscaping, to improve the visual quality of the project (Section 3-7)

AIR QUALITY

Adverse Environmental Effects:

Construction activities will expose sensitive receptors within the general public to substantial pollutant concentrations.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

Construction activities have the potential to emit substantial NO_x and PM₁₀ concentrations. During construction, mitigation measures to reduce NO_x emissions and PM₁₀ fugitive dust generation will be implemented to reduce the impact of these emissions on sensitive receptors. (Section 3-13)

GEOLOGY AND SOILS**Adverse Environmental Effects:**

Construction of roadway structures will expose people and the structures themselves to the risk of loss, injury, or death involving strong seismic ground shaking or liquefaction.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

All roadway features and structures will be designed in accordance with State design standards to minimize the chance of failure during strong seismic activity or liquefaction. (Section 3-11)

HAZARDS AND HAZARDOUS MATERIALS**Adverse Environmental Effects:**

During construction of the proposed improvements, oil and gas wells, and hazardous material sources not previously identified could be encountered. Project construction could 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.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

A contingency plan will be in place prior to project construction. This plan could be subsequently modified in the event that unidentified underground storage tanks, hazardous materials, petroleum hydrocarbons, or hazardous or solid wastes are unexpectedly encountered during construction. This contingency plan would address underground storage tank decommissioning, field screening and materials testing methods, mitigation and contaminant management requirements, and health and safety requirements for construction workers. (Section 3-12)

Adverse Environmental Effects:

The project is located on sites, which are included on a list of hazardous materials sites, compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment:

- Aerially deposited lead (ADL) contamination from past vehicle emissions may be encountered during construction in unpaved areas of existing Caltrans and local city right-of-way, and property that would be acquired by Caltrans.
- 38 sites within the project area (pages 150-152 of the Final EIR) present a concern regarding hazardous materials.
- All structures that are to be demolished as part of construction will undergo an evaluation for the presence of asbestos-containing materials and lead-based paint prior to demolition.
- Barrier railings, shims, and thread sealant on bridges 53-1658 (Florence Ave. on-ramp OC) and 53-1657 (NB 605 to NB 5 connector OC) should be treated as Category II, non-friable asbestos-containing material.
- Structures 53-631 (Valley View Ave. OC), 53-630 (Alondra Blvd. OC), 53-214 (Carmenita Road OC), and 53-1015 (Shoemaker Ave. OC) had peeling/flaking paint that may contain lead.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

If excavated soil at the site is to be reused within the Caltrans right-of-way, any portion of the upper 0.9m of soil will be placed under pavement and at least 1.5m above the maximum groundwater elevation in accordance with the DTSC Lead Variance. If any portion of the upper 0.9m of soil excavated at the site is to be disposed, it will be handled as hazardous material with respect to total and soluble lead content. Caltrans will notify contractors performing construction activities of any hazardous concentrations of lead that may be present in on-site soil so that appropriate health and safety measures can be implemented to minimize exposure to lead.

The 38 sites of concern require one or some combination of the following:

- Further Site Investigation (SI, 23 sites);
- Implementation of environmental monitoring during construction (10 sites);
- Negotiation of clean-up agreements (3 sites); and/or
- Further inquiry (5 sites)

Recommendations that result from site investigations will be implemented to remediate hazardous waste contamination prior to Right-of-Way Certification.

A licensed and certified asbestos abatement contractor shall remove and dispose of the barrier rail shims, thread sealant, and any other materials found to contain asbestos containing materials prior to any activities that would disturb the material.

A qualified contractor shall remove and dispose of as hazardous waste, any painted surfaces that are found to contain lead prior to any activities that would disturb the material. (Section 3-12)

Adverse Environmental Effect:

Temporary street/ramp closures could impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Fact:

The construction of the project will require some temporary road, ramp or freeway lane closures. These closures have the potential to affect the response times for fire and police protection service. The impact to fire, police and emergency services response times will be minimized by implementation of a Traffic Management Plan (TMP) prior to construction that will contain detailed plans for access routes and detours during construction. The TMP will be prepared in close coordination with the Los Angeles County Fire Department and city fire or law enforcement departments within the Interstate 5 corridor. Caltrans will maintain contacts with the community, police, and fire protection services through public outreach during construction. (Section 3-5)

HYDROLOGY AND WATER QUALITY**Adverse Environmental Effects:**

Construction of the proposed alternatives could affect water quality: 1) from construction activity within the various flood control channels (through erosion of exposed soil within the drainage channels), 2) through storm water discharge from the construction area along I-5, and 3) by reducing the groundwater recharge during construction. During highway operation, roadway surfaces can contribute to pollution of water resources through the collection and subsequent run-off of dirt, pollutants, and trash.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

Construction activities have the potential to adversely affect water quality due to storm water run-off from construction sites. Due to the scale of this project it is subject to the National Pollutant Discharge Elimination System (NPDES) permitting process. The NPDES permits contain standard provisions that are intended to provide a required level of storm water pollution prevention.

A Storm Water Pollution Prevention Plan (SWPPP) will be prepared prior to the start of construction to ensure compliance with existing NPDES permits. The SWPPP would be kept on site during construction and made available upon request to the Regional Water Quality Control Board (RWQCB), responsible local agencies, and the public.

The construction SWPPP will identify potential sources of pollutants, describe erosion and sediment controls, contain non-storm water provisions, describe post-construction storm water management, describe waste management activities, include a maintenance and inspection component, include a list of qualified contractors, incorporate other storm water related plans if applicable, and would list the name of the preparer. Caltrans will conduct additional inspections or analysis if required by the RWQCB, inspect construction sites prior to anticipated storm events and after actual events in order to identify areas contributing to storm water discharge pollutants in order to evaluate the adequacy of the control measures identified in the SWPPP, certify annually that construction is in compliance with the applicable NPDES permit and SWPPP, and retain the monitoring records for at least three years following completion of construction.

An operational SWPPP is being developed that identifies several locations for construction of Best Management Practices (BMPs) designed to remove pollutants from storm water run-off from the freeway during normal operations. One such device, an Extended Retention Basin, has already been installed within the Interstate 5/Interstate 605 interchange. Type selection and final location of the proposed devices will be determined during final design. (Sections 3-10 and 3-16)

LAND USE AND PLANNING

Adverse Environmental Effect:

The project will physically divide established communities.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Fact:

Project construction will require the acquisition of residential and commercial property and subsequent relocation of residents and businesses that occupy those properties at the time of acquisition. The scale of right-of-way acquisitions will physically divide current residents and businesses from established neighborhood resources. The selected alternative has been designed to minimize the number of relocations to the greatest degree possible, thus minimizing the project's impact to established communities. (Section 3-4)

Adverse Environmental Effect:

The project is in conflict with applicable land use plans, policies, or regulations of agencies with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by other agency or can and should be made by such agency.

Statements of Facts:

Program 2.1.1.5 of the Circulation Element of the General Plan for the City of Downey (adopted in 1992) supported the development of HOV lanes on Interstate 5 within existing right-of-way. This circulation element program is intended to minimize the potential environmental impacts associated with improvements to Interstate 5 within city limits. Construction of the selected alternative will require expansion of existing State right-of-way to accommodate a larger facility. Caltrans has no jurisdiction over the general plans of municipalities within the project area. Changes to the Downey General Plan have been adopted by the City of Downey to eliminate this conflict. Program 2.4.1.2 of the circulation element (adopted in 2005) states that the City of Downey will "Coordinate with I-5 Joint Power Authority regarding increasing capacity of the I-5 Freeway in a method that minimizes impacts on private properties."

The General Plan for the City of Santa Fe Springs supports the widening of Interstate 5 without property acquisitions. This statement in the general plan is intended to minimize the potential environmental impacts associated with improvements to Interstate 5 within city limits. Construction of the selected alternative requires expansion of existing State right-of-way to accommodate a larger facility, which will result in property acquisitions. Caltrans has no jurisdiction over the general plans of municipalities within the project area. Changes to the Santa Fe Springs General Plan can and should be made by the City of Santa Fe Springs to eliminate this conflict. This project is included in the 2004 Regional Transportation Plan approved by SCAG. Santa Fe Springs is a member city of the SCAG; therefore at a regional level there is no conflict. In addition, The City of Santa Fe Springs has entered into a Freeway Agreement with Caltrans in support of the Interstate 5 at Carmenita Road Interchange Project, an interrelated project that involves right-of-way acquisition. I-5 at Carmenita is an early initiation project component of the I-5 Corridor Improvement Project, therefore at a project level the City of Santa Fe Springs demonstrates support for Interstate 5 improvements in light of the need to acquire right-of-way. Until such changes to the General Plan have been adopted by the City of Santa Fe Springs, the relative significant impacts of the project on land use policies will remain. (Section 3-1)

NOISE**Adverse Environmental Effects:**

During project construction and operation the project will result in the 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.

The project will result in the exposure of persons to or the generation of excessive groundborne vibration or groundborne noise levels during construction.

The project will result a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project during operation.

The project will result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project during construction.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

37 out of 78 receptors within the project area currently experience noise levels that are approaching or exceed the Noise Abatement Criteria for the respective activity category. Soundwalls currently exist adjacent residential (activity category B) areas.

Project construction activities, such as pile driving, earthwork, paving, etc., will generate noise that exceeds the noise abatement criteria for the respective activity category. To minimize noise and vibration disturbances to sensitive receptors, equipment noise controls and administrative measures outlined on page 199 of the Final EIR will be implemented during project construction.

Noise levels during project operation will approach or exceed the noise abatement criteria for the respective activity category for all receptor sites within the project area. Soundwalls of various heights described on pages 197 and 198 of the Final EIR will be constructed to abate/mitigate substantial permanent increases in noise levels within the project area. While the addition of soundwalls to project design will result in a readily perceptible reduction in noise levels, 50 of the 78 receptors will continue to experience noise levels that approach or exceed the noise abatement criteria for residential land uses. (Section 3-14)

POPULATION AND HOUSING**Adverse Environmental Effects:**

Construction of the selected alternative will displace substantial numbers of existing housing and people, necessitating the construction of replacement housing elsewhere.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

Construction of the selected alternative will require the full acquisition of 108 residential properties, including three multi family residences. Approximately 400 people will be displaced due to these acquisitions. The State will provide relocation assistance to occupants of properties subject to acquisition. A majority of the relocations will be possible within the community from which they are being displaced, minimizing the need for construction of replacement housing elsewhere. (Section 3-4)

PUBLIC SERVICES**Adverse Environmental Effects:**

The project will 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 fire and police protection.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

The construction of the project will require some temporary road, ramp or freeway lane closures. These closures have the potential to affect the response times for fire and police protection service. The impact to fire, police and emergency services response times will be minimized by implementation of a Traffic Management Plan (TMP) prior to construction that will contain detailed plans for access routes and detours during construction. The TMP will be prepared in close coordination with the County Fire Department and any potentially affected fire and law enforcement agencies. Caltrans will maintain contacts with the community, police, and fire protection services through public outreach during construction. (Section 3-5)

TRANSPORTATION/TRAFFIC

Adverse Environmental Effects:

Project will, temporarily during construction and during operation, 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). These increases will result in traffic volumes that exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statements of Facts:

The construction of the project will require some temporary road, ramp or freeway lane closures. These closures have the potential to temporarily decrease the transportation system level of service within the Interstate 5 corridor. The impact to corridor traffic will be minimized by the implementation an intelligent stage construction plan and a Traffic Management Plan (TMP) prior to construction that will contain detailed plans for access routes and detours during construction. The TMP will be prepared in close coordination with cities and local agencies with jurisdiction in the Interstate 5 corridor. Caltrans will maintain contacts with the community, police, and fire protection services through public outreach during construction. Modifications to the construction staging plans will be coordinated with these local entities. Information about

closures and planned detours will be available on the project's website. (Section 3-5 and page 291)

Caltrans will work with Metro and Southern California Regional Rail Authority to provide incentives for commuters to use Metro transit service and Metrolink service during the Interstate 5 Corridor Improvement construction period. (Section 3-6)

Existing traffic in the Interstate 5 corridor operates at an unacceptable level of service (LOS E or F) in most locations, including the freeway mainline, freeway ramps, and arterial roads and interchanges, during peak periods. Project operation will improve freeway and arterial operations at most locations within the corridor. The shift of demand from arterial roads to the improved freeway facility will increase the traffic volumes experienced at arterial intersections closest to the freeway. Project design includes improvements to many of these arterial intersections to mitigate these increases, however some of the affected intersections are outside the State's sphere of influence and are therefore not included in this project. Some of the improvements to arterial intersections recommended in the Final EIR are the responsibility of the local municipalities. (Section 3-6)

UTILITIES AND SERVICE SYSTEMS

Adverse Environmental Effects:

Operation of the project will require the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Statements of Facts:

An operational SWPPP is being developed that identifies several locations for construction of Best Management Practices (BMPs) designed to remove pollutants from storm water run-off from the freeway during normal operations. One such device, an Extended Retention Basin, has already been installed within the Interstate 5/Interstate 605 interchange. Type selection and final location of the proposed devices will be determined during final design. Environmental impacts associated with the construction of these facilities are limited to the need to require additional right-of-way. Location selection of these facilities in areas of excess right-of-way, resulting from acquisitions needed for project construction, will minimize the amount of right-of-way needed for construction of the drainage and treatment facilities. (Section 3-10)

MANDATORY FINDINGS OF SIGNIFICANCE

Adverse Environmental Effects:

The project would have environmental effects, which would cause substantial adverse effects on human beings either directly or indirectly.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statements of Facts:

Construction of the project will result in the relocation of residents and businesses within the project area. These relocations will cause a substantial adverse effect on humans due to displacement of people from their residences and communities and removing businesses from their patrons. Currently, the selected alternative will result in a conflict with the City of Santa Fe Springs General Plan. Until such changes to the General Plan have been adopted by the City of Santa Fe Springs, the relative significant impacts of the project on land use policies will remain. Construction-related detours and temporary or permanent road closures will cause periods of traffic congestion throughout the Interstate 5 corridor during construction. Construction and operation of the project will expose humans to noise levels that are in excess of the noise abatement criteria. All of these impacts and measures that minimize the harm caused by these impacts have been addressed in their respective headings in this Statement of Findings.

Carbon monoxide emissions from vehicular traffic add to the total greenhouse gasses in the atmosphere, and therefore is a contributor to global warming, which could have an indirect substantial adverse effect on human beings. In addition to the administrative and regulatory effort to reduce greenhouse gas emissions from vehicles, the State will also, in conjunction with the I-5 Corridor Cities, implement a sizeable urban reforestation plan. This reforestation plan is primarily intended to act as a natural carbon-sink for the operation of the I-5. This reforestation plan would be on a large scale and not only encompass areas close to the freeway, but also areas further away as determined by Caltrans and each respective corridor city. This tree planting mitigation will create more green areas, provide more natural shade in a heavily urbanized area and enhance the visual character of not only the I-5 corridor, but also the surrounding cities.

CALIFORNIA DEPARTMENT OF TRANSPORTATION
STATEMENT OF OVERRIDING CONSIDERATIONS
FOR THE
INTERSTATE 5 CORRIDOR IMPROVEMENT PROJECT
STATE ROUTE 91 TO INTERSTATE 605

The following information is presented to comply with California Environmental Quality Act Guidelines (Title 14 CCR Chapter 3, Section 15093) and of the Department of Transportation Environmental Regulations (Title 21 CCR Chapter 11, Section 1501). Reference is made to the Final Environmental Impact Report (EIR) for the project, which is the basis for the following determinations.

Based on the Final EIR and other information in the record, The Department of Transportation has determined that implementation of the selected alternative, Alternative 4B, may result in the following significant and not fully mitigable impacts:

- Physical division of established communities
- Conflict with specific elements of applicable land use plans in the City of Santa Fe Springs
- Exposure of persons to or generation of noise levels in excess of established standards
- Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels
- A substantial permanent increase in ambient noise levels
- Displacement of substantial numbers of existing housing
- Displacement of substantial numbers of people
- An increase in traffic at some locations which is substantial in relation to the existing traffic load and capacity of the street system

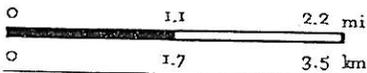
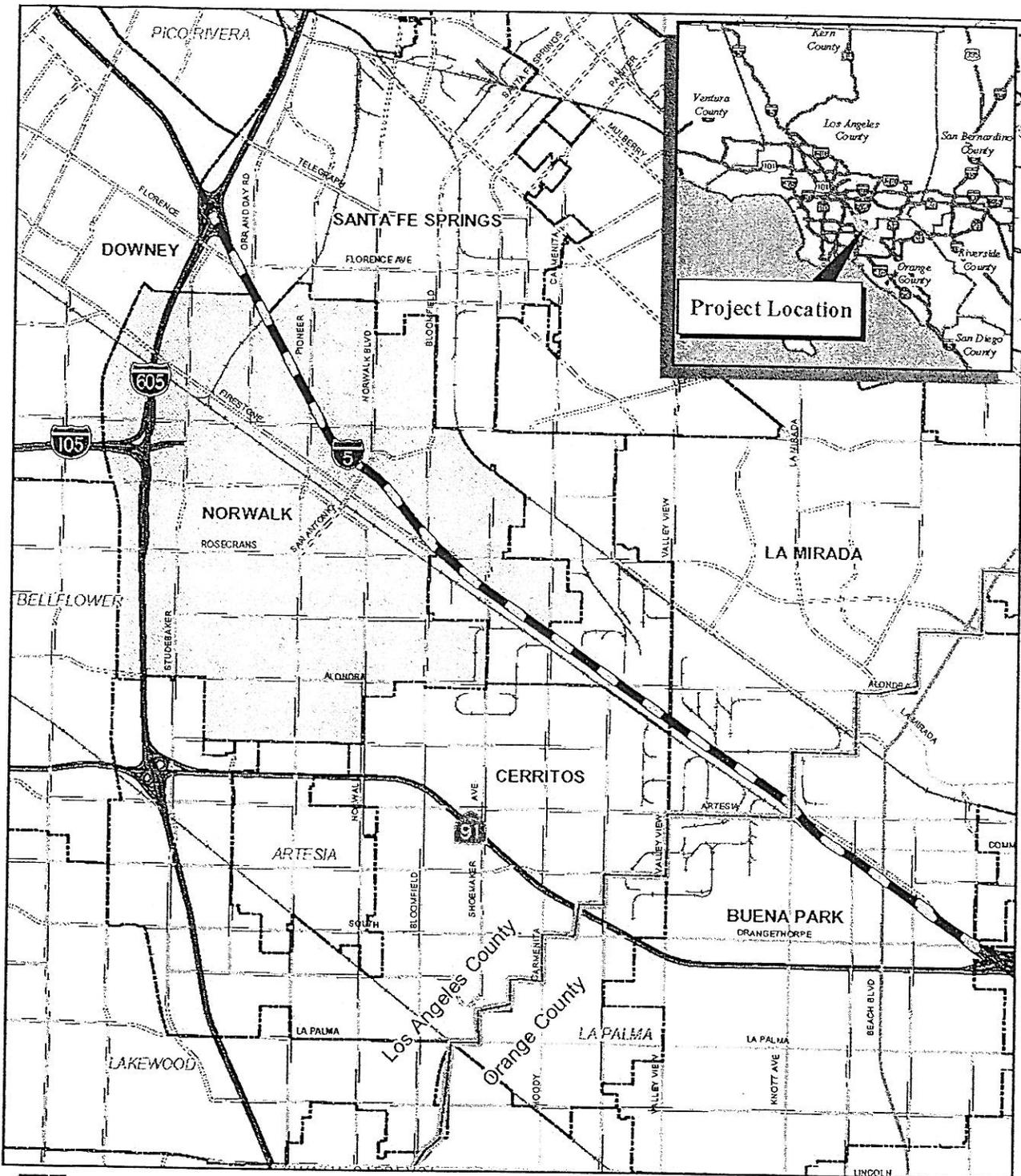
Caltrans has further determined that while mitigation measures identified in the Final EIR would be effective in reducing the impacts described above, those impacts would not be reduced to less than significant levels even with such mitigation, and the selected alternative would still generate significant, unmitigated environmental impacts.

Caltrans, acting as lead agency for the project under CEQA, having reviewed and considered the Final EIR and in light of the whole record, finds:

- All feasible mitigation measures have been imposed to reduce adverse project impacts
- Alternatives to the project are infeasible because they:
 - Fail to provide the benefits provided by the selected alternative
 - Fail to satisfy key project objectives
 - Would result in greater environmental impacts than those of the selected alternative

The selected alternative will reduce existing and forecast traffic congestion on I-5 between SR 91 and I-605. This selected alternative will reduce congestion occurring subsequent to completion of improvements on I-5 south of State Route 91 in Orange County. The selected alternative will also constitute the first phase of the recommended ultimate improvements on I-5 that have been identified through the completed MIS process. The selected alternative includes short- and long-term strategies to improve regional air quality and implementation of Traffic Control Measures (TCMs) in the Statewide Implementation Plan (SIP).

Caltrans concludes, based upon the whole record, that the benefits of the selected alternative outweigh the unavoidable environmental impacts associated with its construction and operation and determines that said benefits override the significance of their associated adverse impacts.



- LEGEND**
- PROJECT ALIGNMENT
 - COUNTY LIMITS
 - CITY LIMITS
 - HIGHWAY
 - MAJOR ROAD

*I-5 Corridor Improvement Project
Affected Communities*

07-LA-005-KP 0.0/12.15 (PM 0.0/7.5)
 ORA-005-KP 67.9/71.4 (PM 42.2/44.4)
 EA #2159AO