Chapter 3 Comments and Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required and identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. Agency and tribal consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including interagency coordination meetings, public meetings, public notices, Project Development Team (PDT) meetings, and Project Quality Team (PQT) meetings. This chapter summarizes the results of the California Department of Transportation’s (Caltrans) efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

3.1 Interagency Coordination and Consultation

3.1.1 State Historic Preservation Officer

As discussed in Section 2.7, Cultural, State Route 74 (SR-74), including the project limits between Post Mile (PM) 1.0 and PM 2.1, has been previously determined as neither eligible for the National Register of Historic Places (NRHP) nor for registration as a California Historical Landmark. On May 22, 2018, the State Historic Preservation Officer (SHPO) concurred with these findings (Historic Property Survey Report [2019], Appendix H). Additionally, Caltrans is assuming that the Manriquez Adobe site (P-30-176750) is eligible for the NRHP for this project only because only a portion of the site is being affected and evaluation was not possible, under the Advisory Council on Historic Preservation Section 106 Programmatic Agreement (Section 106 PA) Stipulation VIII.C.4. Caltrans has determined that a Finding of No Adverse Effects without Standard Conditions – Environmentally Sensitive Area is appropriate and is requesting SHPO concurrence on this determination under Stipulation X.B.2. The letter documenting SHPO concurrence will be provided in the Final Environmental Document.
3.1.2 Native American Consultation
Consultation with nine Native American Tribes (groups and individuals) was initiated in August 2018 in compliance with Section 106 of the National Historic Preservation Act. Consultation with the Native American Heritage Commission (NAHC) and Native American representatives is summarized in Table 3.1, below. A copy of the NAHC correspondence is included at the end of this chapter.

3.1.3 United States Fish and Wildlife Service/National Marine Fisheries Service
Official species lists were obtained from the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website and the National Marine Fisheries Service (NMFS) in April 2019. The species lists provide information about the threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur in the vicinity of the project limits. The USFWS and NMFS species lists provided are included at the end of this chapter.

3.1.4 Transportation Conformity Working Group
The project is located within a nonattainment area for federal particulate matter less than 2.5 microns in size (PM$_{2.5}$) standards and within an attainment/maintenance area for the federal particulate matter less than 10 microns in size (PM$_{10}$) standards. Therefore, per 40 Code of Federal Regulations (CFR) Part 93, hot-spot analyses are required for conformity purposes. However, the United States Environmental Protection Agency (USEPA) does not require hot-spot analyses, qualitative or quantitative, for projects that are not listed in Section 93.123(b)(1) as Projects of Air Quality Concern (POAQC). The PM$_{2.5}$/PM$_{10}$ hot-spot analysis was presented to the Southern California Association of Governments’ (SCAG) Transportation Conformity Working Group (TCWG) for discussion and review on March 26, 2019.

Per Caltrans Headquarters policy, all nonexempt projects need to go through review by the TCWG. The TCWG determined that the proposed project does not qualify as a POAQC because the project is not a new or expanded highway project. The project would reduce traffic congestion at and through adjacent local street intersections. However, in addition to widening SR-74, the project would slightly alter the traffic flow on local streets within the project area. Therefore, the proposed project meets the Federal Clean Air Act (CAA) requirements and 40 CFR 93.116 without any explicit hot-spot analysis. The proposed project would not create a new, or worsen an existing, PM$_{10}$ or PM$_{2.5}$ violation.
### Table 3.1: Summary of Native American Consultation

<table>
<thead>
<tr>
<th>Agency and Agency Representative</th>
<th>Date of First Contact (Formal Letter)</th>
<th>Date of Reply</th>
<th>Date of Follow-up Contact (Phone Call)</th>
<th>Consultation Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native American Heritage Commission (NAHC) Frank Lienert, Program Analyst</td>
<td>August 7, 2018</td>
<td>August 13, 2018</td>
<td>Formal letter</td>
<td>August 7, 2018: A letter was sent to the NAHC requesting a search of the Sacred Lands File (SLF) in order to provide a Native American Contact List for the project APE. The NAHC request letter is included at the end of this chapter. August 13, 2018: The NAHC responded on August 13, 2018, to say that the SLF search was completed for the APE with positive results, indicating Native American resources are present. The NAHC recommended contacting the Juaneño Band of Mission Indians for further information regarding the positive SLF search. The NAHC also recommended contacting Native American individuals representing the Juaneño, Gabrieleno Tongva, and Gabrielino groups for information regarding cultural resources that could be affected by the project. August 29, 2018: Letters discussing the project and requesting information on Native American heritage resources were sent via certified letter and email to NAHC listed contacts on August 29, 2018.</td>
</tr>
<tr>
<td>Juaneño Band of Mission Indians Acjachemen Nation Matias Belardes, Chairperson</td>
<td>August 29, 2018</td>
<td>No response received (see results for Joyce Perry below)</td>
<td>(see results for Joyce Perry below)</td>
<td></td>
</tr>
<tr>
<td>Gabrieleno/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson</td>
<td>August 29, 2018</td>
<td>None</td>
<td>September 14, 2018 September 17, 2018</td>
<td>September 14, 2018: A follow-up email was sent to Mr. Morales. September 17, 2018: A phone call was made to Mr. Morales. The call went to voicemail; a message was left. No response was received.</td>
</tr>
<tr>
<td>Gabrieleno/Tongva Nation Sandonne Goad, Chairperson</td>
<td>August 29, 2018</td>
<td>None</td>
<td>September 14, 2018 September 17, 2018</td>
<td>September 14, 2018: A follow-up email was sent to Ms. Goad. September 17, 2018: A phone call was made to Ms. Goad. The call went to voicemail; a message was left. No response was received.</td>
</tr>
<tr>
<td>Juaneño Band of Mission Indians Acjachemen Nation Teresa Romero, Chairwoman</td>
<td>August 29, 2018</td>
<td>None</td>
<td>August 30, 2018 August 30, 2018 October 16, 2018</td>
<td>August 30, 2018: A phone call was made to Ms. Romero prior to delivery of the project notification letter. Another member of the Tribe answered the phone and stated that she would pass along the positive SLF search results to Ms. Romero, who would return the call in the next few days. September 17, 2018: Another phone call was made to Ms. Romero. The call went to voicemail; a message was left. October 16, 2018: A phone call was received from Steven Villa of NDNA Monitoring and Consulting, in partnership with the Tribe. Mr. Villa stated that, due to the location of the project in a sensitive area</td>
</tr>
</tbody>
</table>

State Route 74 Lower Ortega Highway Widening Project Environmental Assessment
### Agency and Agency Representative

<table>
<thead>
<tr>
<th>Agency and Agency Representative</th>
<th>Date of First Contact (Formal Letter)</th>
<th>Date of Reply</th>
<th>Date of Follow-up Contact (Phone Call)</th>
<th>Consultation Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>Juaneño Band of Mission Indians Aojachemen Nation Teresa Romero, Chairwoman</td>
<td>August 29, 2018</td>
<td>None</td>
<td>August 30, 2018</td>
<td>September 17, 2018 October 16, 2018</td>
</tr>
<tr>
<td>Juaneño Band of Mission Indians Sonia Johnston, Tribal Chairperson</td>
<td>August 29, 2018</td>
<td>None</td>
<td>August 30, 2018</td>
<td>September 19, 2018</td>
</tr>
<tr>
<td>Juaneño Band of Mission Indians Aojachemen Nation Joyce Perry, Tribal Manager</td>
<td>August 29, 2018</td>
<td>None</td>
<td>August 30, 2018</td>
<td>September 12, 2018 September 15, 2018 September 17, 2018 September 19, 2018 October 2, 2018 October 4, 2018</td>
</tr>
<tr>
<td>Agency and Agency Representative</td>
<td>Date of First Contact (Formal Letter)</td>
<td>Date of Reply</td>
<td>Date of Follow-up Contact (Phone Call)</td>
<td>Consultation Topic</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---------------------------------------</td>
<td>---------------</td>
<td>----------------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>Juaneño Band of Mission Indians</td>
<td>August 29, 2018</td>
<td>None</td>
<td>August 30, 2018</td>
<td>October 4, 2018:</td>
</tr>
<tr>
<td>Acjachemen Nation</td>
<td></td>
<td></td>
<td>September 12, 15, 17, 19, October 2, 4, 2018</td>
<td>Ms. Sinopoli sent another email to Ms. Perry, stating that Caltrans Design indicated that drainage work for the project could occur anywhere within the Direct APE (as shown on the APE maps). No further comments were received.</td>
</tr>
<tr>
<td>Joyce Perry, Tribal Manager</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gabrielo-Tongva Tribe</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>No letter was sent to Ms. Candelaria, and no other communication was attempted; the NAHC list provided no current mailing address, email address, or phone number. Another representative from this Tribe was contacted, see Charles Alvarez below.</td>
</tr>
<tr>
<td>Linda Candelaria, Chairperson</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gabrielo Band of Mission Indians</td>
<td>August 29, 2018</td>
<td>September 26, 2018</td>
<td>September 10, 2018</td>
<td>September 10, 2018:</td>
</tr>
<tr>
<td>– Kizh Nation</td>
<td></td>
<td>An Administrative Specialist with the Tribe sent an email stating that if any ground disturbance will occur during the project, then the Tribal government would like to consult with the lead agency.</td>
<td>October 2, 2018</td>
<td>Caltrans District 12 sent an email to Mr. Salas describing the proposed ground-disturbing activities and providing information about known resources near and within the APE. Caltrans requested that Mr. Salas contact them if the Tribe is interested in meeting to discuss the project. October 2, 2018: Caltrans sent a follow-up email and requested that Mr. Salas’s group let Caltrans know if they have an interest in meeting regarding the project, if they need additional information, or if they wish to provide comments. No further response was received.</td>
</tr>
<tr>
<td>Andrew Salas, Chairperson</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gabrielo-Tongva Tribe</td>
<td>August 29, 2018</td>
<td>None</td>
<td>September 17, 2018</td>
<td>September 17, 2018:</td>
</tr>
<tr>
<td>Charles, Alvarez, Councilmember</td>
<td></td>
<td></td>
<td>September 19, 2019</td>
<td>A phone call was made to Mr. Alvarez. The call went to voicemail; a message was left. September 19, 2018: A follow-up email was sent to Mr. Alvarez. No response was received.</td>
</tr>
</tbody>
</table>
3.2 Community Outreach and Public Involvement

3.2.1 Project Development Team
The City of San Juan Capistrano (City) and the County of Orange (County) each participate in regular PDT meetings conducted by Caltrans for the SR-74 Lower Ortega Highway Widening Project. The PDT meetings cover a wide range of topics related to the proposed project, including engineering considerations, environmental issues, and the environmental document and documentation process.

3.2.2 Public Participation
Caltrans contacted the City and the County of the project status and potential concerns regarding the project on the following dates; documentation of the communication and coordination have been included at the end of this chapter:

- On July 26, 2018, as part of the Settlement Agreement between Caltrans and the Hunt Club Homeowners Association, Caltrans provided the results of the noise level measurements conducted in the Hunt Club community between June 26 and June 27, 2018. Noise level measurements were conducted subsequent to the June 12, 2018, letter notifying property owners of this work.
- On August 7, 2018, Caltrans contacted the City via email. The purpose of this communication was to inform the City of the status and potential issues of the proposed project. The County has entered into a Cooperative Agreement with Caltrans to complete the Project Approval and Environmental Document (PA&ED) phase for obtaining National Environmental Policy Act (NEPA) approval. Funding for the design, right-of-way, and construction phases have not been secured. In addition, costs for several project features, mitigations, and/or measures from the previously approved (Environmental Impact Report (EIR) and the Settlement Agreement as part of the design, right-of-way, and construction phases have not been settled; therefore, Caltrans, the City and the Hunt Club Homeowners Association need to coordinate and reach an agreement on how the specific project features, mitigations, and/or measures should proceed during the design, right-of-way, and construction phases.
- On August 13, 2018, Steve May, Public Works and Utilities Director for the City of San Juan Capistrano, responded to the email confirming that all the project features, mitigations, and/or measures included in Caltrans’ initial email as being in the Settlement Agreement were accurate, and future coordination will be needed throughout different phases of the project.
• On August 14, 2018, Caltrans responded to the City to confirm that the City and Caltrans were in agreement that the project will contribute financially and allow the owners of the guard house (The Hunt Club) and right-of-way being landscaped to take the lead in the design and construction of the elements of the Settlement Agreement. On January 8, 2019, Amit Verma, Project Manager of Orange County Public Works (OCPW), informed Caltrans via email about OCPW’s interest in committing $3 million in funding towards the construction phase of the project; the funding is pending approval from the County Board.

• On March 27, 2019, the City requested an executive-level meeting with Caltrans to discuss (1) items on the Settlement Agreement with the Hunt Club Homeowners Association; (2) Caltrans and City right-of-way limits; (3) design and maintenance of noise barriers and retaining walls; (4) landscaping in parkways, and (5) water quality management. Caltrans responded to this request and a meeting was scheduled for May 22, 2019.

The environmental document for the proposed project will be circulated starting June 3, 2019, for a 45-day period; the project schedule and NOA were also being shared with the agencies. Copies of the emails are included at the end of this chapter.

A public hearing (open house format) is scheduled for June 25, 2019, from 5:00 p.m. to 7:00 p.m. at Kinoshita Elementary School located at 2 Via Positiva, San Juan Capistrano, California 92675. This public hearing will be advertised in three newspapers.

Other public participation methods used for this Environmental Assessment include: mailing lists, newspaper notices/articles, direct mailings, and web-based information.
Chapter 3 Comments and Coordination

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Native American Heritage Commission
Correspondence
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Hi Kerrie,

Attached is the NAHC SLF Request for Lower 74 (EA 086920):

---

Dear NAHC,

The California Department of Transportation (Caltrans) District 12, proposes to widen a segment of SR-74 (Ortega Highway) in Orange County for approximately 1.1 miles starting in the city of San Juan Capistrano eastward approximately 150 ft. east of the City/County line (PM 1.0/2.09).

Attached is a Sacred Lands File request for the project, along with a Project Location Map.

Please contact me if you have any questions.

Thank you,

Cheryl Sinopoli, D-12 Archaeologist
657-328-6165
Project: EA 086920 Lower SR-74 Project (PM 1.0/2.09)

County: Orange

USGS Quadrangle Name(s):

- San Juan Capistrano, Calif. 1968 (Photorevised 1981)
  Township: T. 7 S. & T. 8 S. Range: R. 7 W. Sections: 5, 6, & 32

- Canada Gobernadora, Calif. 1997
  Township: T. 7 S. Range: R. 7 W. Section: 32

Company/Firm/Agency: California Department of Transportation - District 12

Street Address: 1750 E. 4th St., Suite 100  City: Santa Ana, CA  Zip: 92705

Phone: (657) 328-6165  Fax: (657) 328-6515

Email: cheryl.sinopoli@dot.ca.gov

Project Description:

The California Department of Transportation (Caltrans), proposes to widen a segment of SR-74 from two to four lanes beginning in the city of San Juan Capistrano from Calle Entradero to 150 ft. east of the City/County line for a total length of 1.1 miles (PM 1.0/2.1). Project features also include: restriping, pavement restoration, painted median, shoulders, soundwalls, retaining walls, drainage and utility replacement/relocations.
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August 13, 2018

Cheryl Sinopoli
Caltrans, District 12

Sent by Email: Cheryl.sinopoli@dot.ca.gov

Re: EA 086920 Lower SR 74 Project, Orange County

Dear Ms. Sinopoli,

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information you have submitted for the above referenced project. The results indicate Native American cultural sites are present. Please contact the Juaneño Band of Mission Indians. Other sources for cultural resources should also be contacted for information regarding known and/or recorded sites.

Enclosed is a list of Native American tribes who may also have knowledge of cultural resources in the project area. I suggest you contact all of those indicated, if they cannot supply information, they might recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from any of these tribes, please notify me. With your assistance we are able to assure that our lists contain current information. If you have any questions or need additional information, please contact me at frank.lienert@nahc.ca.gov.

Sincerely,

Frank Lienert
Associate Governmental Program Analyst
Native American Heritage Commission
Native American Contacts
August 13, 2018

Juaneno Band of Mission Indians Acjachemen Nation
Matias Belardes. Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA 92675
kaamalam@gmail.com
(949) 444-4340 (Cell)

Juaneno Band of Mission Indians Acjachemen Nation
Jovce Perrv. Tribal Manager
4955 Paseo Segovia
Irvine, CA 92612
kaamalam@gmail.com
(949) 293-8522

Gabrieleno/Tongva San Gabriel Band of Mission Indians
Anthony Morales. Chairperson
P.O. Box 693
San Gabriel, CA 91778
GTTRibalcouncil@aol.com
(626) 483-3564 Cell

Gabrielino-Tonava Tribe
Linda Candelaria. Chairperson
No Current Address on File

Gabrielino

Gabrielino Band of Mission Indians - Kizh Nation
Andrew Salas. Chairperson
P.O. Box 393
Covina, CA 91723
admin@gabrielenoindians.org
(626) 926-4131

Gabrielino

Juaneno Band of Mission Indians Acjachemen Nation
Teresa Romero. Chairwoman
31411-A La Matanza Street
San Juan Capistrano, CA 92675
tromer@juaneno.com
(949) 488-3484
(949) 488-3294 Fax

Juaneno Band of Mission Indians Acjachemen Nation
Sonia Johnston. Tribal Chairperson
P.O. Box 25628
Santa Ana, CA 92799
sonia.johnston@sbcglobal.net

Gabrielino-Tonava Tribe
Charles Alvarex. Councilmember
23454 Vanowen St.
West Hills, CA 91307
roadkingcharles@aol.com
(310) 403-6048

Juaneno

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes with regard to cultural resources assessments for the proposed EA 086920 Lower SR 74 Project, Orange County
Transportation Conformity Working Group
Determinations
## PM Hot Spot Analysis Project Lists

Review of PM Hot Spot Interagency Review Forms

<table>
<thead>
<tr>
<th>October, 2018</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIV080904 October 2018</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (EPA concurrence received before the meeting)</td>
</tr>
<tr>
<td>SR-74 Widening October 2018</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (EPA concurrence received before the meeting)</td>
</tr>
<tr>
<td>LA0G1119update October 2018</td>
<td>(Was determined to be not a POAQC on September 25, 2018)</td>
</tr>
<tr>
<td>LALS04update October 2018</td>
<td>(Was determined to be not a POAQC on May 22, 2018)</td>
</tr>
<tr>
<td>RIV100107 October 2018 Figures 2-4</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (EPA concurrence received before the meeting. Project sponsor will update PM hot spot interagency review form by adding PM10.)</td>
</tr>
<tr>
<td>RIV100107 October 2018</td>
<td></td>
</tr>
<tr>
<td>RIV100107 October 2018 Figure 1</td>
<td></td>
</tr>
<tr>
<td>RIV031215 October 2018 Project Map</td>
<td></td>
</tr>
<tr>
<td>RIV031215 October 2018</td>
<td></td>
</tr>
<tr>
<td>RIV031215 October 2018 Traffic Analysis</td>
<td></td>
</tr>
</tbody>
</table>
Chapter 3  Comments and Coordination

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1.0 CALL TO ORDER AND SELF-INTRODUCTION
Lori Huddleston, TCWG Chair, called the meeting to order at 10:07 am.

2.0 PUBLIC COMMENT PERIOD
None.

3.0 CONSENT CALENDAR
3.1. Revised August 28, 2018 TCWG Meeting Minutes
The meeting minutes were approved.

3.2. September 25, 2018 TCWG Meeting Minutes
The meeting minutes were approved.

4.0 INFORMATION ITEMS
4.1 Review of PM Hot Spot Interagency Review Forms
1) SR-74 Widening
   It was determined that this was not a POAQC (EPA concurrence was received before the meeting).

2) RIV100107
   It was determined that this was not a POAQC (EPA concurrence was received before the meeting).

   In response to a comment, project consultant will check PM10 off under “Hot Spot Pollutant of Concern” on page 2 of the PM hot spot interagency review form and resubmit updated form to SCAG for record purposes.

3) RIV031215
   Project will be brought back as an item on December 4, 2018 TCWG meeting agenda.

4) RIV080904
   It was reaffirmed that this was not a POAQC (EPA concurrence was received before the meeting).
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Copied from SCAG TCWG Website Page

**PM Hot Spot Analysis Project Lists**

Review of PM Hot Spot Interagency Review Forms

<table>
<thead>
<tr>
<th>March, 2019</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIV071252 March 2019</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (Caltrans and FHWA concurrence received after meeting)</td>
</tr>
<tr>
<td>Updated SR74 Widening Project March 2019</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (Caltrans and FHWA concurrence received after meeting)</td>
</tr>
<tr>
<td>20179901 March 2019</td>
<td>Not a POAQC - Hot Spot Analysis Not Required (Caltrans and FHWA concurrence received after meeting)</td>
</tr>
</tbody>
</table>
This page intentionally left blank
Chapter 3  Comments and Coordination

United States Fish and Wildlife Service/National
Marine Fisheries Service Species List
Chapter 3  Comments and Coordination

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IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as trust resources) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

Location

Orange County, California
Local office

Carlsbad Fish And Wildlife Office

📞 (760) 431-9440
建设用地 (760) 431-5901

2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385

http://www.fws.gov/carlsbad/
Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population, even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act requires Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can only be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Draw the project location and click CONTINUE.
2. Click DEFINE PROJECT.
3. Log in (if directed to do so).
4. Provide a name and description for your project.
5. Click REQUEST SPECIES LIST.

Listed species and their critical habitats are managed by the Ecological Services Program of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries).
Species and critical habitats under the sole responsibility of NOAA Fisheries are not shown on this list. Please contact NOAA Fisheries for species under their jurisdiction.

1. Species listed under the Endangered Species Act are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the listing status page for more information.

2. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

### Mammals

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pacific Pocket Mouse Perognathus longimembbris pacificus</td>
<td>Endangered</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/8080">https://ecos.fws.gov/ecp/species/8080</a></td>
<td></td>
</tr>
</tbody>
</table>

### Birds

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>California Least Tern Sterna antillarum browni</td>
<td>Endangered</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/8104">https://ecos.fws.gov/ecp/species/8104</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Coastal California Gnatcatcher Polioptila californica californica</th>
<th>Threatened</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/8178">https://ecos.fws.gov/ecp/species/8178</a></td>
<td></td>
</tr>
</tbody>
</table>
Least Bell's Vireo  Vireo bellii pusillus  
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecp/species/5945

Southwestern Willow Flycatcher  Empidonax traillii extimus  
There is final critical habitat for this species. Your location is outside the critical habitat.
https://ecos.fws.gov/ecp/species/6749

Amphibians

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arroyo (=arroyo Southwestern) Toad  Anaxyrus californicus</td>
<td>Endangered</td>
</tr>
<tr>
<td>Tidewater Goby  Eucyclogobius newberryi</td>
<td>Endangered</td>
</tr>
</tbody>
</table>

Fishes

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tidewater Goby  Eucyclogobius newberryi</td>
<td>Endangered</td>
</tr>
</tbody>
</table>

Crustaceans

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
</table>

https://ecos.fws.gov/ipac/location/BFT3ZF3Q4JEQJDZMKRBUGXQ4DE/resources
Riverside Fairy Shrimp  Streptocephalus woottoni  Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

https://ecos.fws.gov/ecp/species/8148

San Diego Fairy Shrimp  Branchinecta sandiegonensis  Endangered

There is final critical habitat for this species. Your location is outside the critical habitat.

https://ecos.fws.gov/ecp/species/6945

Flowering Plants

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Big-leaved Crownbeard  Verbesina dissita</td>
<td>Threatened</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/8049">https://ecos.fws.gov/ecp/species/8049</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laguna Beach Liveforever Dudleya stolonifera</td>
<td>Threatened</td>
</tr>
<tr>
<td>No critical habitat has been designated for this species.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/7919">https://ecos.fws.gov/ecp/species/7919</a></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NAME</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thread-leaved Brodiaea  Brodiaea filifolia</td>
<td>Threatened</td>
</tr>
<tr>
<td>There is final critical habitat for this species. Your location is outside the critical habitat.</td>
<td></td>
</tr>
<tr>
<td><a href="https://ecos.fws.gov/ecp/species/6087">https://ecos.fws.gov/ecp/species/6087</a></td>
<td></td>
</tr>
</tbody>
</table>

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.
THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

2. The Bald and Golden Eagle Protection Act of 1940.

Additional information can be found using the following links:


The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the
Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

<table>
<thead>
<tr>
<th>NAME</th>
<th>BREEDING SEASON</th>
<th>BREEDS ELSEWHERE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allen's Hummingbird Selasphorus sasin</td>
<td>Feb 1 to Jul 15</td>
<td>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9637">Link</a></td>
</tr>
<tr>
<td>Common Yellowthroat Geothlypis trichas sinuosa</td>
<td>May 20 to Jul 31</td>
<td>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/2084">Link</a></td>
</tr>
</tbody>
</table>
Costa's Hummingbird  Calypte costae  
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  
https://ecos.fws.gov/ecp/species/9470  
Breeds Jan 15 to Jun 10

Golden Eagle  Aquila chrysaetos  
This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.  
https://ecos.fws.gov/ecp/species/1680  
Breeds Jan 1 to Aug 31

Lewis's Woodpecker  Melanerpes lewis  
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  
https://ecos.fws.gov/ecp/species/9408  
Breeds Apr 20 to Sep 30

Long-billed Curlew  Numenius americanus  
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  
https://ecos.fws.gov/ecp/species/5511  
Breeds elsewhere

Nuttall's Woodpecker  Picoides nuttallii  
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA  
https://ecos.fws.gov/ecp/species/9410  
Breeds Apr 1 to Jul 20

Oak Titmouse  Baeolophus inornatus  
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.  
https://ecos.fws.gov/ecp/species/9656  
Breeds Mar 15 to Jul 15
Song Sparrow  Melospiza melodia  Breeds Feb 20 to Sep 5
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

Spotted Towhee  Pipilo maculatus clementae  Breeds Apr 15 to Jul 20
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA
https://ecos.fws.gov/ecp/species/4243

Wrentit  Chamaea fasciata  Breeds Mar 15 to Aug 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ “Proper Interpretation and Use of Your Migratory Bird Report” before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there
were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.

3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

**Breeding Season (**)**
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

**Survey Effort (†)**
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

**No Data (→)**
A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**
Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.
Allen's Hummingbird
BCC Rangewide (CON)
(This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

Common Yellowthroat
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

Costa's Hummingbird
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

Golden Eagle
Non-BCC Vulnerable (This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.)

Lewis's Woodpecker
BCC Rangewide (CON)
(This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

https://ecos.fws.gov/ipac/location/BFT3ZF3Q4JEQJDZMKRBUGXQ4DE/resources
Long-billed Curlew
BCC Rangewide (CON)
(This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

Nuttall’s Woodpecker
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

Oak Titmouse
BCC Rangewide (CON)
(This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)

Song Sparrow
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

Spotted Towhee
BCC - BCR (This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA)

Wrentit
BCC Rangewide (CON)
(This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.)
Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

**Nationwide Conservation Measures** describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures and/or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS **Birds of Conservation Concern (BCC)** and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the **Avian Knowledge Network (AKN)**. The AKN data is based on a growing collection of survey, banding, and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the **E-bird Explore Data Tool**.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the **Avian Knowledge Network (AKN)**. This data is derived from a growing collection of survey, banding, and citizen science datasets.

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird’s range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
To see what part of a particular bird’s range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

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What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](https://ecos.fws.gov/ipac/location/BFT3ZF3Q4JEQJDZMKRBUGXQ4DE/resources) to avoid violating the Eagle Act should such impacts occur.

### Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ “What does IPaC use to generate the migratory birds potentially occurring in my specified location”. Please be aware this report provides the “probability of presence” of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the “no data” indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ “Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds” at the bottom of your migratory bird trust resources page.

### Facilities

**National Wildlife Refuge lands**

Any activity proposed on lands managed by the [National Wildlife Refuge](https://ecos.fws.gov/ipac/location/BFT3ZF3Q4JEQJDZMKRBUGXQ4DE/resources) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.
Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the

https://ecos.fws.gov/ipac/location/BFT3ZF3Q4JEQJDZMKRBUGXQ4DE/resources
intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.
Quad Name: San Juan Capistrano
Quad Number: 33117-E6

**ESA Anadromous Fish**

- SONCC Coho ESU (T)
- CCC Coho ESU (E)
- CC Chinook Salmon ESU (T)
- CVSR Chinook Salmon ESU (T)
- SRWR Chinook Salmon ESU (E)
- NC Steelhead DPS (T)
- CCC Steelhead DPS (T)
- SCCC Steelhead DPS (T)
- SC Steelhead DPS (E) - X
- CCV Steelhead DPS (T)
- Eulachon (T)
- sDPS Green Sturgeon (T) - X

**ESA Anadromous Fish Critical Habitat**

- SONCC Coho Critical Habitat
- CCC Coho Critical Habitat
- CC Chinook Salmon Critical Habitat
- CVSR Chinook Salmon Critical Habitat
- SRWR Chinook Salmon Critical Habitat
- NC Steelhead Critical Habitat
- CCC Steelhead Critical Habitat
- SCCC Steelhead Critical Habitat
- SC Steelhead Critical Habitat
- CCV Steelhead Critical Habitat
- Eulachon Critical Habitat
- sDPS Green Sturgeon Critical Habitat

**ESA Marine Invertebrates**

- Range Black Abalone (E) - X
- Range White Abalone (E) - X

**ESA Marine Invertebrates Critical Habitat**

- Black Abalone Critical Habitat
**ESA Sea Turtles**

East Pacific Green Sea Turtle (T) - X
Olive Ridley Sea Turtle (T/E) - X
Leatherback Sea Turtle (E) - X
North Pacific Loggerhead Sea Turtle (E) - X

**ESA Whales**

Blue Whale (E) - X
Fin Whale (E) - X
Humpback Whale (E) - X
Southern Resident Killer Whale (E) - X
North Pacific Right Whale (E) - X
Sei Whale (E) - X
Sperm Whale (E) - X

**ESA Pinnipeds**

Guadalupe Fur Seal (T) - X
Steller Sea Lion Critical Habitat -

**Essential Fish Habitat**

Coho EFH -
Chinook Salmon EFH -
Groundfish EFH - X
Coastal Pelagics EFH - X
Highly Migratory Species EFH - X

**MMPA Species (See list at left)**

**ESA and MMPA Cetaceans/Pinnipeds**
See list at left and consult the NMFS Long Beach office
562-980-4000

MMPA Cetaceans - X
MMPA Pinnipeds - X
Public Participation
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July 26, 2018

The Hunt Club Community Association
c/o Common Interests, Inc.
647 Camino De Los Mares, Suite 221
San Clemente, CA 92673

Subject: Notification of Noise Monitoring Results for the State Route 74 Lower Ortega Highway Widening Project (from Calle Entradero to Reata Road)

Dear Sir or Madam:

LSA Associates, Inc. (LSA), on behalf of the California Department of Transportation (Caltrans), is providing the results of the noise level measurements conducted in the Hunt Club community between Tuesday, June 26, 2018, and Wednesday, June 27, 2018, as part of the Settlement Agreement between Caltrans and the Hunt Club Homeowners Association.

The noise level measurements were conducted subsequent to the June 12, 2018, letter notifying property owners of this work. As stated in the June 12, 2018, notification letter, noise level measurements were conducted as part of the Noise Study Report for the State Route 74 Lower Ortega Highway Widening Project (from Calle Entradero to Reata Road). LSA conducted a total of two long-term (24-hour) and three short-term (20-minute) noise level measurements within the Hunt Club community. The results of these noise level measurements are attached. If you have any questions, please contact me at (949) 553-0666 or Jason.Lui@lsa.net.

Sincerely,

LSA Associates, Inc.

Jason Lui
Senior Noise Specialist

Attachments: Short-Term Noise Level Measurements
Long-Term Noise Level Measurements at 30967 and 30987 Steeplechase Drive
# Short-Term Noise Level Measurements

<table>
<thead>
<tr>
<th>Monitor No.</th>
<th>Location Description</th>
<th>Date</th>
<th>Start Time</th>
<th>Duration</th>
<th>dBA $L_{eq}$</th>
<th>dBA $L_{max}$</th>
<th>dBA $L_{min}$</th>
</tr>
</thead>
<tbody>
<tr>
<td>ST-12</td>
<td>30967 Steeplechase Drive</td>
<td>6/26/2018</td>
<td>9:56 a.m.</td>
<td>20 minutes</td>
<td>61.9</td>
<td>70.1</td>
<td>45.1</td>
</tr>
<tr>
<td>ST-13</td>
<td>30962 Steeplechase Drive</td>
<td>6/26/2018</td>
<td>9:56 a.m.</td>
<td>20 minutes</td>
<td>52.4</td>
<td>62.8</td>
<td>40.9</td>
</tr>
<tr>
<td>ST-14</td>
<td>30981 Hunt Club Drive</td>
<td>6/26/2018</td>
<td>9:56 a.m.</td>
<td>20 minutes</td>
<td>57.9</td>
<td>65.2</td>
<td>43.4</td>
</tr>
</tbody>
</table>

$dBA = A$-weighted decibels  
$L_{eq} =$ equivalent continuous sound level  
$L_{max} =$ maximum instantaneous noise level  
$L_{min} =$ minimum instantaneous noise level

# Long-Term Noise Level Measurements at 30967 Steeplechase Drive (LT-3)

<table>
<thead>
<tr>
<th>No.</th>
<th>Start Time</th>
<th>Date</th>
<th>Noise Level (dBA $L_{eq}$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>11:00 AM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>2</td>
<td>12:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>3</td>
<td>1:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>4</td>
<td>2:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>5</td>
<td>3:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>6</td>
<td>4:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>7</td>
<td>5:00 PM</td>
<td>6/26/2018</td>
<td>65</td>
</tr>
<tr>
<td>8</td>
<td>6:00 PM</td>
<td>6/26/2018</td>
<td>62</td>
</tr>
<tr>
<td>9</td>
<td>7:00 PM</td>
<td>6/26/2018</td>
<td>62</td>
</tr>
<tr>
<td>10</td>
<td>8:00 PM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>11</td>
<td>9:00 PM</td>
<td>6/26/2018</td>
<td>60</td>
</tr>
<tr>
<td>12</td>
<td>10:00 PM</td>
<td>6/26/2018</td>
<td>57</td>
</tr>
<tr>
<td>13</td>
<td>11:00 PM</td>
<td>6/26/2018</td>
<td>55</td>
</tr>
<tr>
<td>14</td>
<td>12:00 AM</td>
<td>6/27/2018</td>
<td>52</td>
</tr>
<tr>
<td>15</td>
<td>1:00 AM</td>
<td>6/27/2018</td>
<td>50</td>
</tr>
<tr>
<td>16</td>
<td>2:00 AM</td>
<td>6/27/2018</td>
<td>47</td>
</tr>
<tr>
<td>17</td>
<td>3:00 AM</td>
<td>6/27/2018</td>
<td>51</td>
</tr>
<tr>
<td>18</td>
<td>4:00 AM</td>
<td>6/27/2018</td>
<td>57</td>
</tr>
<tr>
<td>19</td>
<td>5:00 AM</td>
<td>6/27/2018</td>
<td>62</td>
</tr>
<tr>
<td>20</td>
<td>6:00 AM</td>
<td>6/27/2018</td>
<td>65</td>
</tr>
<tr>
<td>21</td>
<td>7:00 AM</td>
<td>6/27/2018</td>
<td>65</td>
</tr>
<tr>
<td>22</td>
<td>8:00 AM</td>
<td>6/27/2018</td>
<td>65</td>
</tr>
<tr>
<td>23</td>
<td>9:00 AM</td>
<td>6/27/2018</td>
<td>65</td>
</tr>
<tr>
<td>24</td>
<td>10:00 AM</td>
<td>6/27/2018</td>
<td>64</td>
</tr>
</tbody>
</table>

$dBA = A$-weighted decibels  
$L_{eq} =$ equivalent continuous sound level
### Long-Term Noise Level Measurement at 30987 Steeplechase Drive (LT-4)

<table>
<thead>
<tr>
<th>No.</th>
<th>Start Time</th>
<th>Date</th>
<th>Noise Level (dBA Leq)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>10:00 AM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>2</td>
<td>11:00 AM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>3</td>
<td>12:00 PM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>4</td>
<td>1:00 PM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>5</td>
<td>2:00 PM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>6</td>
<td>3:00 PM</td>
<td>6/26/2018</td>
<td>61</td>
</tr>
<tr>
<td>7</td>
<td>4:00 PM</td>
<td>6/26/2018</td>
<td>60</td>
</tr>
<tr>
<td>8</td>
<td>5:00 PM</td>
<td>6/26/2018</td>
<td>60</td>
</tr>
<tr>
<td>9</td>
<td>6:00 PM</td>
<td>6/26/2018</td>
<td>59</td>
</tr>
<tr>
<td>10</td>
<td>7:00 PM</td>
<td>6/26/2018</td>
<td>59</td>
</tr>
<tr>
<td>11</td>
<td>8:00 PM</td>
<td>6/26/2018</td>
<td>58</td>
</tr>
<tr>
<td>12</td>
<td>9:00 PM</td>
<td>6/26/2018</td>
<td>56</td>
</tr>
<tr>
<td>13</td>
<td>10:00 PM</td>
<td>6/26/2018</td>
<td>54</td>
</tr>
<tr>
<td>14</td>
<td>11:00 PM</td>
<td>6/26/2018</td>
<td>52</td>
</tr>
<tr>
<td>15</td>
<td>12:00 AM</td>
<td>6/27/2018</td>
<td>50</td>
</tr>
<tr>
<td>16</td>
<td>1:00 AM</td>
<td>6/27/2018</td>
<td>48</td>
</tr>
<tr>
<td>17</td>
<td>2:00 AM</td>
<td>6/27/2018</td>
<td>46</td>
</tr>
<tr>
<td>18</td>
<td>3:00 AM</td>
<td>6/27/2018</td>
<td>49</td>
</tr>
<tr>
<td>19</td>
<td>4:00 AM</td>
<td>6/27/2018</td>
<td>56</td>
</tr>
<tr>
<td>20</td>
<td>5:00 AM</td>
<td>6/27/2018</td>
<td>59</td>
</tr>
<tr>
<td>21</td>
<td>6:00 AM</td>
<td>6/27/2018</td>
<td>61</td>
</tr>
<tr>
<td>22</td>
<td>7:00 AM</td>
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<tr>
<td>23</td>
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<td>61</td>
</tr>
<tr>
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<td>61</td>
</tr>
</tbody>
</table>

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Thanks for your help. I am looking forward to working with you and the City. Barbara

Barbara McGahey, P.E., Project Manager  
California Department of Transportation | District 12 | Program and Project Management  
1750 E 4th St #100, Santa Ana, CA 92705  
(949) 226-6840 | E-mail: barbara.mcgahey@dot.ca.gov
FYI, please keep in your files.

Barbara

From: Steve May  
Sent: Monday, August 13, 8:50 PM  
Subject: RE: 12-08692 Lover 74 Joint Caltrans and County project  
To: Mcgahey, Barbara A@DOT

Barbara,

I have confirmed all of the points in your email as being in the Settlement Agreement. Let’s keep in touch as you proceed with the project.

Regards,

Steve May  
Public Works & Utilities Director  
City of San Juan Capistrano  
32400 Paseo Adelanto  
San Juan Capistrano, CA 92675  
O: 949-443-6363  
SMay@SanJuanCapistrano.org

This email and any files or attachments transmitted with it may contain privileged or otherwise confidential information. If you are not the intended recipient, or believe that you have received this communication in error, then please advise the sender via reply email and delete the email you received.

From: Mcgahey, Barbara A@DOT [mailto:barbara.mcgahay@dot.ca.gov]  
Sent: Thursday, August 09, 2018 8:46 PM  
To: Steve May <SMay@sanjuancapistrano.org>  
Subject: RE: 12-08692 Lover 74 Joint Caltrans and County project

Thanks, Steve! I appreciate it. Barbara
Barbara,

Yes, I am the right person. Sorry I didn’t get back to you sooner. I need to go through the agreement and reconcile the provisions you outlined. I’ll get back to you by the end of next week.

Regards,

Steve May
Public Works & Utilities Director
City of San Juan Capistrano
SMay@SanJuanCapistrano.org
949-443-6363

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From: Mcgahey, Barbara A@DOT
Sent: Thursday, August 09, 2018 8:24 PM
To: Steve May <SMay@sanjuancapistrano.org>
Subject: RE: 12-08692 Lover 74 Joint Caltrans and County project

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California Department of Transportation | District 12 | Program and Project Management
1750 E 4th St #100, Santa Ana, CA 92705
(949) 226-6840 | E-mail: barbara.mcgahey@dot.ca.gov

From: Mcgahey, Barbara A@DOT
Sent: Tuesday, August 07, 2018 12:42 PM
To: 'smay@sanjuancapistrano.org' <smay@sanjuancapistrano.org>
Cc: 'jgreen@sanjuancapistrano.org' <jgreen@sanjuancapistrano.org>; Ramsey, Lisa@DOT <lisa.ramsey@dot.ca.gov>
Subject: 12-08692 Lover 74 Joint Caltrans and County project

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California Department of Transportation | District 12 | Program and Project Management
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1750 E 4th St #100, Santa Ana, CA 92705
(949) 226-6840 | E-mail: barbara.mcgahey@dot.ca.go
For your files.

Thanks, Steve. I agree, we will need to coordinate throughout this project.

With this email, I wanted to make sure Caltrans and the City were in agreement that the project will contribute financially, but allow the owners of the guardhouse and right of way being landscaped to take the lead in the design and construction of these elements of the settlement agreement.

To me this strategy seems more direct and so probably more cost-effective. I think it also increases the likelihood that San Juan Capistrano and the Hunt Club will get a finished product that satisfies them.

The City, as far as I know, is not limited in the types or size of plants that they can use. They will be able to choose the design and what they want to maintain.

Do I have your agreement that this is the way we should proceed? We need to document this in the Environmental Document.

Thanks again! Barbara

---

Barbara,

I have confirmed all of the points in your email as being in the Settlement Agreement. Let’s keep in touch as you proceed with the project.

Regards,

Steve May
Public Works & Utilities Director
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675
O: 949-443-6363
From: Mcgahey, Barbara A@DOT [mailto:barbara.mcgahey@dot.ca.gov]
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To: Mcgahey, Barbara A@DOT <barbara.mcgahey@dot.ca.gov>
Subject: RE: 12-08692 Lover 74 Joint Caltrans and County

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(949) 226-6840 | E-mail: barbara.mcgahen@dot.ca.gov
Hi Brian,

I’m sure this may be too late, but I just received notice that County is willing to contribute an additional million towards the CM budget; bringing a net total to $3M.

Thanks,
Amit

Good morning Brian,

County is committed to fund $2M towards the Construction Management (i.e. Construction Support) for the Lower Ortega Widening project. Funding will be budgeted in FY 22/23.

Details are preliminary, as it’s a few years away. Please be advised, this has been approved by County executive management and will go to the County Board for their approval around April/May 2019. Once the Board approves this, it’s be listed within our 7 year CIP Project List (http://www.ocpublicworks.com/about/capital_improvement_program).

Respectfully,

Amit Verma
Project Manager
OC Public Works | OC Infrastructure Programs | Project Management
P-714-647-3908 | C-714-604-7327
Amit.Verma@ocpw.ocgov.com

Hi Amit,

When we spoke at the last PDT meeting you mentioned that the County Board approved funding for Construction Support? I remember you said $2 million.

Can you please confirm the details of this for me? I am working on filling out a grant application for USDOT Infrastructure for Rebuilding America (INFRA) funding, and need this information.

Please let me know by 11:00 AM on Monday, January 7, 2019. The application is due that day.
Hi Brian,
Hope you are doing well. This morning I briefed the City Manager, Public Works and Utilities Director, and other executive staff regarding the Ortega Highway widening project. The City Manager has requested a meeting with Caltrans to discuss the following:

Settlement agreement with the Hunt Club HOA
Right-of-way limits both Caltrans and City
Design and maintenance of sound wall and retaining wall
Landscaping in parkway
Water quality management

The purpose of the meeting is for the City to provide input regarding the above items prior to the release of the NEPA document and the public meeting scheduled for June 25, 2019. Please let me know what days and times work the week of April 8. Thanks for your cooperation and call me if you have any questions.

George Alvarez
Project Manager
City of San Juan Capistrano
32400 Paseo Adelanto
San Juan Capistrano, CA 92675
O: 949-443-6351
GAlvarez@SanJuanCapistrano.org

*****Please note that email correspondence with the City of San Juan Capistrano, along with attachments, may be subject to the California Public Records Act, and therefore may be subject to disclosure unless otherwise exempt.
Chapter 3  Comments and Coordination

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