

Chapter 4 – 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 to 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 Project Development Team (PDT) meetings, a public information meeting conducted on July 25, 2018, and interagency outreach and consultation. 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.

4.1 Project Development Team Meetings

During the preparation of the environmental document for the proposed project, monthly PDT meetings were held to discuss the proposed project design, factors to be considered during the environmental study process, key issues, and project schedule. Staff from Caltrans District 12, the Orange County Transportation Authority (OCTA), City of Lake Forest, City of Laguna Hills, and the City of Laguna Woods attended these meetings.

4.2 Public Participation

In order to inform the public regarding the Build Alternatives (including Design Option B) and to receive public input regarding project and environmental concerns early in the process, a Public Information Meeting was conducted on July 25, 2018. This Public Information Meeting was held from 5:30 PM to 7:30 PM at the Laguna Woods City Hall, 24264 El Toro Road, in Laguna Woods (approximately 1 mile west of the project site). Public notice of the meeting was provided via The Orange County Register, Excelsior, Laguna Woods Globe, and the Saddleback News. Notice was also provided via the OCTA website, direct mail to approximately 20,000 residential and business addresses, direct-to-door fliers, email, and social media.

During the public meeting, six work stations were provided to highlight the following issue areas: (1) project partners and project introduction; (2) project overview, purpose and need, project cost, and schedule; (3) design options of the interchange; (4) the environmental study process; (5) methods of receiving future project notices and information; and (6) a comment and survey station. The primary questions and topics of concern received during the Public Information Meeting included:

- Questions regarding why the project is needed
- Questions regarding the construction schedule related to the project
- Questions regarding visual Impacts to residential properties
- Questions regarding property/business acquisition and where it would be required
- Questions regarding the environmental documentation process and next steps

A public hearing for the proposed project to receive comments on the Initial Study/Environmental Assessment (IS/EA) will be held in April 2019.

A Federal agency may publish a notice in the Federal Register, pursuant to 23 USC §139(l), indicating that one or more Federal agencies have taken final action on permits, licenses, or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 180 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

4.3 Cultural Resources

As part of the cultural investigation, a record search was conducted with the South Central Coastal Information Center of the California Historical Resources Information System at California State University, Fullerton. In addition, additional specialized listings for cultural resources were consulted. In February 2019, the Historic Property Survey Report was submitted to the State Historic Preservation Officer (SHPO) for review. On March 7, 2019, the SHPO concurred that Leisure World Laguna Hills, St. George's Episcopal Church, and the Chase Bank Building were not eligible for the National Register (refer to concurrence letter at the end of this chapter). The Native American Heritage Commission (NAHC) was contacted in August 2018 and letters were sent to Native American tribes consistent with Assembly Bill 52 on August 13, 2018. The consultation with the NAHC and Native American representatives is summarized in Table 4.1, Summary of Native American Consultation, and correspondence with the NAHC can be found at the end of this chapter.

4.4 Biological Resources

Lists of special status species were generated from the California Department of Fish and Wildlife California Natural Diversity Database, California Native Plant Society (CNPS) Electronic Inventory, current listings for special status species from the United States Fish and Wildlife Service, Electronic Inventory, and the Information Planning and Consultation System in August 2018. The National Marine Fisheries Service Species List was downloaded in September 2018 from the National Oceanic and Atmospheric Administration Fisheries – West Coast Region provided by Google Earth KMZ file. These lists can be found at the end of this chapter.

4.5 Hazardous Materials

As part of the Phase I Initial Site Assessment (ISA) prepared for the proposed project, a records search was conducted in October 2018 with the State Water Resources Control Board's GeoTracker database for sites that impact water quality throughout California. In addition, the Department of Toxic Substances Control's Site Mitigation and Brownfields Reuse Program's EnviroStor database was queried in October 2018.

Table 4.1: Summary of Native American Consultation

Groups/Individuals Contacted	Date of Project Notification Letter	Date of Tribal Response to Letter	Date and Results of Follow-up Telephone Calls and/or Emails
Juaneño Band of Mission Indians Acjachemen Nation Matias Belardes, Chairperson <i>Juaneño</i>	08/13/2018	(See results for Joyce Perry, below.)	(See results for Joyce Perry, below.)
Gabrielino/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson <i>Gabrielino Tongva</i>	08/13/2018	No response received.	09/17/2018: A phone call was made to Mr. Morales. The call went to voicemail; a message was left. 09/24/2018: A follow-up email was sent to Mr. Morales (GTTribalcouncil@aol.com). No response was received.
Gabrielino/Tongva Nation Sandonne Goad, Chairperson <i>Gabrielino Tongva</i>	08/13/2018	No response received.	09/17/2018: A phone call was made to Ms. Goad. The call went to voicemail; a message was left. 09/24/2018: A follow-up email was sent to Ms. Goad (sgoad@gabrielino-tongva.com). No response was received.
Juaneño Band of Mission Indians Acjachemen Nation Teresa Romero, Chairwoman <i>Juaneño</i>	08/13/2018	No response received.	09/17/2018: A phone call was made to Ms. Romero. The call went to voicemail; a message was left. 09/24/2018: A follow-up email was sent to Ms. Romero (tromero@juaneno.com). No response was received.
Juaneño Band of Mission Indians Sonia Johnston, Tribal Chairperson <i>Juaneño</i>	08/13/2018	No response received.	09/14/2018: A follow-up email was sent to Ms. Johnston (Sonia.Johnston@sbcglobal.net). 09/24/2018: Another follow-up email was sent to Ms. Johnston (Sonia.Johnston@sbcglobal.net). No response was received.

Table 4.1: Summary of Native American Consultation

Groups/Individuals Contacted	Date of Project Notification Letter	Date of Tribal Response to Letter	Date and Results of Follow-up Telephone Calls and/or Emails
Juaneño Band of Mission Indians Acjachemen Nation Joyce Perry, Tribal Manager <i>Juaneño</i>	08/13/2018	No response received.	<p>09/14/2018: A phone call was made to Ms. Perry. The call went to voicemail; a message was left.</p> <p>09/24/2018: A follow-up email was sent to Ms. Perry (kaamalam@gmail.com).</p> <p>10/03/2018: Ms. Perry responded via email and requested consultation. Caltrans responded via email and included a copy of the draft APE map as well as information regarding ground disturbance and historic adobe sites. Caltrans also requested that Ms. Perry respond if she wants to meet in the field, needs additional information, or would like to provide any comments.</p> <p>10/04/2018: Caltrans sent another email to pass along information regarding the need for the maximum of 28-foot excavation for Alternative 3. Caltrans again offered to meet in the field to discuss the project.</p> <p>No further response was received.</p>
Gabrielino-Tongva Tribe Linda Candelaria, Chairperson <i>Gabrielino</i>	N/A	N/A	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.
Gabrieleño Band of Mission Indians – Kizh Nation Andrew Salas, Chairperson <i>Gabrielino</i>	08/13/2018	08/27/2018: The Tribe sent an email to Caltrans with an attached letter requesting consultation.	<p>08/27/2018: Caltrans responded to Brandy Salas' email, asking if any information that wasn't included in the letter was needed at the time. The email also requested that the Tribe inform Caltrans of its availability to meet to discuss the project. Caltrans suggested a field meeting.</p> <p>09/05/2018: Caltrans followed up with Mr. Salas' group because no response from the Tribe was received.</p>

Table 4.1: Summary of Native American Consultation

Groups/Individuals Contacted	Date of Project Notification Letter	Date of Tribal Response to Letter	Date and Results of Follow-up Telephone Calls and/or Emails
			<p>09/19/2018: Caltrans sent another follow-up email to Mr. Salas' group, in which Caltrans asked Mr. Salas' group to let Caltrans know that week if they would like to meet in the field to look at the project area or if they have any information they wish to provide regarding potential impacts to cultural resources. Caltrans explained in this email that the cultural study for the project will be submitted in early October and any information the group wishes to provide will need to be included in that report.</p> <p>09/24/2018: Mr. Salas responded via email, asking if Caltrans was requesting consultation.</p> <p>09/25/2018: Caltrans responded to Mr. Salas, stating that, yes, they are requesting a field meeting to discuss the project with the Tribe. Caltrans requested earliest availability to meet at the project location in Lake Forest/Laguna Hills.</p> <p>No further response was received.</p>
Gabrielino-Tongva Tribe Charles Alvarez, Councilmember <i>Gabrielino</i>	08/13/2018	No response received.	<p>09/17/2018: A phone call was made to Mr. Alvarez. The call went to voicemail; a message was left.</p> <p>09/24/2018: A follow-up email was sent to Mr. Alvarez (roadkingcharles@aol.com).</p> <p>No response was received.</p>

APE = Area of Potential Effects
NAHC = Native American Heritage Commission

4.6 Air Quality

The project-level particulate matter hot-spot analysis was presented to the Southern California Association of Governments; Transportation Conformity Working Group (TCWG) for discussion and review on August 28, 2018, pursuant to the interagency consultation requirement of 40 Code of Federal Regulations (CFR) 93.105 (c)(1)(i). The TCWG confirmed that the Build Alternatives (including Design Option B) would not be considered a project of air quality concern under 40 CFR 93.123(b)(1). A copy of the TCWG Determination can be found at the end of this chapter.

4.7 Section 4(f) Consultation

As part of the analysis for potential impacts related to Section 4(f) resources, Caltrans emailed a letter to the Assistant Director of Community Development at the City of Lake Forest on October 1, 2018. The letter was a coordination letter informing the City of Lake Forest about the proposed project and potential impacts to Cavanagh Mini Park. A copy of this letter can be found at the end of this chapter. Meetings with the City of Lake Forest to discuss these impacts were held on October 18, 2018 and November 27, 2018. Caltrans will be in contact with the City prior to finalizing the IS/EA in order to finalize the Section 4(f) *De Minimis* Determination (Appendix A).

4.8 City Coordination

Caltrans has been in close coordination with the cities of Laguna Hills, Laguna Woods, and Lake Forest during the environmental phase. The cities have been attending monthly PDT meetings and have contributed in the development of the Build Alternatives (including Design Option B). The PDT has provided information on current, planned and future projects for the cumulative impact's analysis. Caltrans has also coordinated with the City of Laguna Hills with regards to the Five Lagunas shopping center (formerly Laguna Hills Mall). Caltrans has asked the city of Laguna Hills to provide any updates related to on-going redevelopment of the site and the status of any applications that have been submitted for City review. An addendum to the City of Laguna Hills General Plan Update EIR Five Lagunas Project was submitted to Caltrans in December 2018 for project coordination and review of cumulative projects.

4.9 Public Coordination

Caltrans and OCTA met with representatives of St. George's Episcopal Church in Laguna Hills on October 30, 2018, to discuss impacts of the Build Alternatives (including Design Option B) in relation to the church. The parishioners expressed concerns regarding any type of acquisition of the church and whether the Build Alternatives (including Design Option B) would require the church's parking lot and/or school playground for staging/construction of the retaining walls.

On January 5, 2019, Caltrans Project Management and Environmental shared with Scott McPherson, Executive Managing Director with Merlone-Geier Partners, developer of Five Lagunas (formally known as Laguna Hills Mall), information on the proposed project and project schedule.

Native American Heritage Commission Correspondence

Kerrie Collison

From: Sinopoli, Cheryl L@DOT <cheryl.sinopoli@dot.ca.gov>
Sent: Tuesday, August 07, 2018 8:34 AM
To: Kerrie Collison
Subject: FW: EA 0M9800 (I-5/EI Toro Rd.) NAHC AB52 & SLF Request for Orange County
Attachments: Fig1_ProjectLocation_USGS.PDF; EA 0M9800 I-5 NAHC request.pdf

Hi Kerrie – attached is the NAHC request for EA 0M9800 (I-5/EI Toro Rd. Interchange Project):

From: Sinopoli, Cheryl L@DOT
Sent: Tuesday, August 7, 2018 8:33 AM
To: NAHC@NAHC <NAHC@nahc.ca.gov>
Subject: EA 0M9800 (I-5/EI Toro Rd.) NAHC AB52 & SLF Request for Orange County

Dear NAHC,

The California Department of Transportation – District 12, proposes to improve the I-5/EI Toro Rd. Interchange in the cities of Laguna Hills, Lake Forest, and Laguna Woods, in Orange County (EA 0M9800; PM 17.8/19.7).

Attached is a request for an AB52 Consultation List/SLF search for the proposed project, as well as, a Project Location Map.

Please feel free to contact me if you have any questions.

Sincerely,

Cheryl Sinopoli, D-12 Archaeologist
657-328-6165

Local Government Tribal Consultation List Request

Native American Heritage Commission

1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahe@nahe.ca.gov
8/7/18

Type of List Requested

☒ **CEQA Tribal Consultation List (AB 52)** – *Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2*

☐ **General Plan (SB 18)** - *Per Government Code § 65352.3.*

Local Action Type:

___ **General Plan** ___ **General Plan Element** ___ **General Plan Amendment**

___ **Specific Plan** ___ **Specific Plan Amendment** ___ **Pre-planning Outreach Activity**

Required Information

Project Title: EA 0M9800 I-5/El Toro Rd. Interchange Project (PM 17.8/19.7)

Local Government/Lead Agency: California Department of Transportation - District 12

Contact Person: Cheryl Sinopoli, Archaeologist

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

Specific Area Subject to Proposed Action

County: Orange **City/Community:** Laguna Hills, Lake Forest, Laguna Woods

Project Description: The California Department of Transportation (Caltrans), in cooperation with the Orange County Transportation Authority (OCTA), is proposing to improve the Interstate 5 (I-5)/El Toro Road Interchange in both directions between Post Miles (PM) 17.8 and 19.7, traversing the cities of Laguna Hills, Lake Forest, and Laguna Woods in Orange County, California. Caltrans, as assigned by the Federal Highway Administration (FHWA), is the Lead Agency for compliance under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

Additional Request

☒ **Sacred Lands File Search - Required Information:**

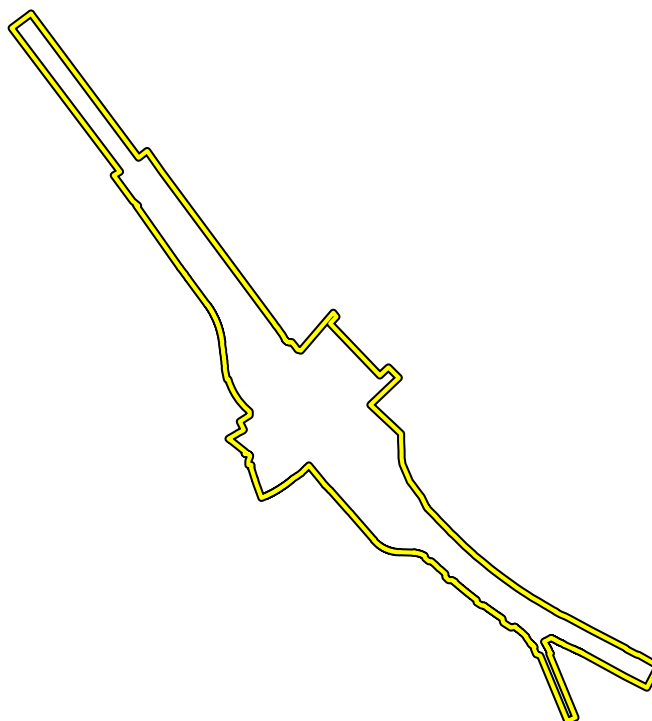
USGS Quadrangle Name(s):

San Juan Capistrano, Calif. 1968 (Photorevised 1981)

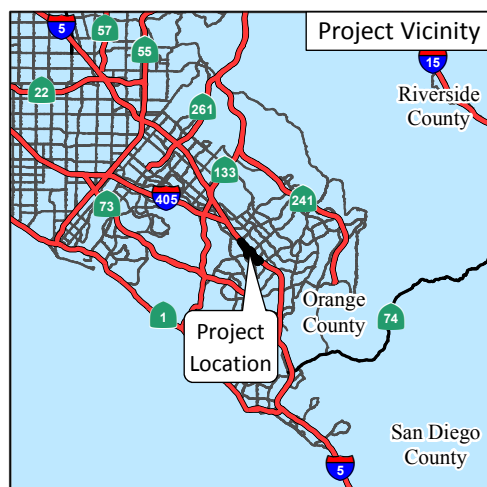
Township: T. 6 S. **Range:** R. 8 W. **Sections:** 27, 28, 34

El Toro, Calif. 1968 (Photorevised 1982)

Township: T. 6 S. **Range:** R. 8 W. **Section:** 28



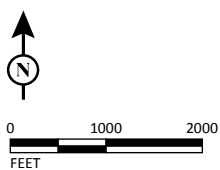
Service Layer Credits: Copyright:© 2013
National Geographic Society, i-cubed
Copyright:© 2014 Esri



LEGEND

 Project Location

FIGURE 1



SOURCE: USGS 7.5' Quad - El Toro (1982) and San Juan Capistrano (1981), CA
I:\CDT1609\GIS\MXD\Task43_ElToroRd\ProjectLocation_USGS.mxd (8/2/2018)

I-5/El Toro Road Interchange Project

Project Location
12-ORA-5 PM 17.8/19.7
EA 0M9800

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
(916) 373-6471 FAX



August 6, 2018

Cheryl Sinopoli
Caltrans District 12

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

Re: EA 0M9800 I5 El Toro Road Interchange Project, Orange County

Dear Ms. Sinopoli,

Attached is a consultation list of tribes with traditional lands or cultural places located within the boundaries of the above referenced counties. Please note that the intent of the referenced codes is to avoid and or mitigate impacts to tribal cultural resources, as defined, in the California Environmental Quality Act (CEQA).

As of July 1, 2015, Public Resources Code Sections 21080.1, 21080.3.1 and 21080.3.2 require public agencies to consult with California Native American tribes identified by the Native American Heritage Commission (NAHC) for the purpose of avoiding or mitigating impacts to tribal cultural resources:

Within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or a tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section. (Public Resources Code Section 21080.1(d))

The law does not preclude initiating consultation with the tribes that are culturally and traditionally affiliated within your jurisdiction. The NAHC believes that this is the best practice to ensure that tribes are consulted commensurate with the intent of the law.

In accordance with Public Resources Code Section 21080.1(d), formal notification must include a brief description of the proposed project and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation. The NAHC also believes that agencies should also include with their notification letters, information regarding any cultural resources assessment that has been completed on the Area of Potential Effect (APE), such as:

1. The results of any record search that may have been conducted at an Information Center of the California Historical Resources Information System (CHRIS), including, but not limited to:
 - A listing of any and all known cultural resources that have already been recorded or are adjacent to the APE, such as known archaeological sites;
 - Copies of any and all cultural resource records and study reports that may have been provided by the Information Center as part of the records search response;

- Whether the records search indicates a low, moderate, or high probability that unrecorded cultural resources are located in the APE; and
 - If a survey is recommended by the Information Center to determine whether previously unrecorded cultural resources are present.
2. The results of any archaeological inventory survey that was conducted, including:
 - Any report that may contain site forms, site significance, and suggested mitigation measures.

All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for public disclosure in accordance with Government Code Section 6254.10.
 3. The results of the Sacred Lands File (SLF) check conducted through the Native American Heritage Commission with the USGS topographical information provided had negative results.
 4. Any ethnographic studies conducted for any area including all or part of the potential APE; and
 5. Any geotechnical reports regarding all or part of the potential APE.

Lead agencies should be aware that records maintained by the NAHC and CHRIS are not exhaustive. A negative response to these searches does not preclude the existence of a cultural place. A tribe may be the only source of information regarding the existence of a tribal cultural resource.

This information will aid tribes in determining whether to request formal consultation. In the case that they do, having the information beforehand will help to facilitate the consultation process.

If you receive notification of change of addresses and phone numbers from tribes, please notify me. With your assistance, we are able to assure that our consultation list remains current.

If you have any questions, please contact me at my email address: frank.lienert@nahc.ca.gov.

Sincerely,



Frank Lienert
Associate Government Program Analyst

**Native American Heritage Commission
Tribal Consultation List
August 6, 2018**

Juaneno Band of Mission Indians Acjachemen Nation

Matias Belardes. Chairperson

32161 Avenida Los Amigos Juaneno
San Juan Capistrano , CA 92675

kaamalam@gmail.com

(949) 444-4340 (Cell)

Juaneno Band of Mission Indians Acjachemen Nation

Joyce Perry. Tribal Manager

4955 Paseo Secovia Juaneno
Irvine , CA 92612

kaamalam@gmail.com

(949) 293-8522

Gabrielino/Tongva San Gabriel Band of Mission Indians

Anthony Morales. Chairperson

P.O. Box 693 Gabrielino Tongva
San Gabriel , CA 91778

GTTribalcouncil@aol.com

(626) 483-3564 Cell

Gabrielino-Tongva Tribe

Linda Candelaria. Chairperson

No Current Address on File

Gabrielino

Gabrielino /Tongva Nation

Sandonne Goad. Chairperson

106 1/2 Judge John Aiso St., #231 Gabrielino Tongva
Los Angeles , CA 90012

sgoad@gabrielino-tongva.com

(951) 807-0479

Gabrielino Band of Mission Indians - Kizh Nation

Andrew Salas. Chairperson

P.O. Box 393
Covina , CA 91723

admin@gabrielinoindians.org Gabrielino

(626) 926-4131

Juaneno Band of Mission Indians Acjachemen Nation

Teresa Romero. Chairwoman

31411-A La Matanza Street Juaneno
San Juan Capistrano , CA 92675

tromero@juaneno.com

(949) 488-3484

(530) 354-5876 Cell

Gabrielino-Tongva Tribe

Charles Alvarez. Councilmember

23454 Vanowen St. Gabrielino
West Hills , CA 91307

roadkingcharles@aol.com

(310) 403-6048

Juaneno Band of Mission Indians

Sonia Johnston. Tribal Chairperson

P.O. Box 25628
Santa Ana , CA 92799 Juaneno

sonia.johnston@sbcglobal.net

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 Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 210080.1, 21080.3.1 and 21080.3.2.

EA 0M9800 I5 El Toro Road Interchange Project, Orange County

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State Historic Preservation Officer Concurrence



**DEPARTMENT OF PARKS AND RECREATION
OFFICE OF HISTORIC PRESERVATION**

Lisa Ann L. Mangat, Director

Julianne Polanco, State Historic Preservation Officer

1725 23rd Street, Suite 100, Sacramento, CA 95816-7100

Telephone: (916) 445-7000

FAX: (916) 445-7053

calshpo.ohp@parks.ca.gov

www.ohp.parks.ca.gov

March 7, 2019

VIA EMAIL

In reply refer to: FHWA_2018_0205_001

Mr. Charles Baker, Environmental Analysis – Specialist Branch Chief
Caltrans District 12, Santa Ana
1750 East Fourth Street, Suite 100
Santa Ana, CA 92705

Subject: Determinations of Eligibility for the Proposed I-5/EI Toro Road Interchange
Project, Orange County, CA

Dear Mr. Baker:

Caltrans is initiating consultation for the above project in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California* (PA). As part of your documentation, Caltrans submitted a Historic Property Survey Report (HPSR), Archaeological Survey Report (ASR) and Historical Resources Evaluation Report for the proposed project.

The proposed undertaking will improve Interstate 5/EI Toro Road Interchange in both directions between Post Miles (PM) 17.8 and 19.7, traversing the cities of Laguna Hills, Lake Forest, and Laguna Woods in Orange County. A full project description and depiction of the area of potential effect (APE) can be found on pages 1-2 and in Attachment A of the HPSR.

Pursuant to Stipulation VIII.C.6 of the PA, Caltrans determined that the following properties are not eligible for the National Register of Historic Places:

- Leisure World – Laguna Hills
- St. George's Episcopal Church, 23802 Avenida De La Carlota, Laguna Hills
- Chase Bank, 23861 EI Toro Road, Lake Forest

Based on review of the submitted documentation, I concur.

Mr. Baker
March 7, 2019
Page 2 of 2

FHWA_2018_0205_001

If you have any questions, please contact Natalie Lindquist at (916) 445-7014 with e-mail at natalie.lindquist@parks.ca.gov or Alicia Perez at (916) 445-7020 with e-mail at alicia.perez@parks.ca.gov .

Sincerely,

A handwritten signature in blue ink, appearing to read 'Julianne', followed by a horizontal line extending to the right.

Julianne Polanco
State Historic Preservation Officer

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United States Fish and Wildlife Service Species List



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901
<http://www.fws.gov/carlsbad/>



In Reply Refer To:

February 13, 2019

Consultation Code: 08ECAR00-2018-SLI-1530

Event Code: 08ECAR00-2019-E-01054

Project Name: El Toro Road Interchange

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2018-SLI-1530

Event Code: 08ECAR00-2019-E-01054

Project Name: El Toro Road Interchange

Project Type: TRANSPORTATION

Project Description: The California Department of Transportation (Caltrans), in cooperation with the Orange County Transportation Authority (OCTA), is proposing to improve Interstate 5 (I-5)/El Toro Road Interchange in both directions from approximately 0.1 mi between Post Miles (PM) 17.8 and 19.7, traversing the cities of Laguna Hills, Lake Forest, and Laguna Woods in Orange County, California. Caltrans, as assigned by the Federal Highway Administration (FHWA), is the Lead Agency for compliance under the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA).

Need

The area within the I-5/El Toro Road Interchange experiences:

- heavy peak-hour congestion and traffic delays due to the high traffic volumes and chokepoints
- geometric deficiencies related to inadequate signal operations (or signal queueing distances)
- major delays due to traffic queueing at the intersections of the on- and off-ramps and local streets

This has affected both the traffic operations and safety within the project area.

Purpose

The purpose of the project is to:

- Improve traffic flow and traffic signal optimization;
- reduce traffic congestion at and through adjacent local street intersections;
- and reduce freeway ramp queueing

The proposed improvements will improve existing and future regional mobility and traffic flow to and from the local street network, be consistent with local planning, and consider impacts to Right of Way. In

addition, congestion relief on the mainline ramps and local streets will serve to improve vehicle safety by improving mobility.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.61499374490064N117.70801239561538W>



Counties: Orange, CA

Endangered Species Act Species

There is a total of 12 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [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.

Mammals

NAME	STATUS
Pacific Pocket Mouse <i>Perognathus longimembris pacificus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8080	Endangered

Birds

NAME	STATUS
California Least Tern <i>Sterna antillarum browni</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8104	Endangered
Coastal California Gnatcatcher <i>Polioptila californica californica</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8178	Threatened
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6749	Endangered

Amphibians

NAME	STATUS
Arroyo (=arroyo Southwestern) Toad <i>Anaxyrus californicus</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3762	Endangered

Fishes

NAME	STATUS
Tidewater Goby <i>Eucyclogobius newberryi</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/57	Endangered

Crustaceans

NAME	STATUS
Riverside Fairy Shrimp <i>Streptocephalus woottoni</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8148	Endangered
San Diego Fairy Shrimp <i>Branchinecta sandiegonensis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6945	Endangered

Flowering Plants

NAME	STATUS
Big-leaved Crownbeard <i>Verbesina dissita</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8049	Threatened
Laguna Beach Liveforever <i>Dudleya stolonifera</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/7919	Threatened
Thread-leaved Brodiaea <i>Brodiaea filifolia</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/6087	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

CNDDB Species List



Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad(San Juan Capistrano (3311756))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Accipiter cooperii</i> Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Candidate Endangered	G2G3	S1S2	SSC
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S3	WL
<i>Ammodramus savannarum</i> grasshopper sparrow	ABPBXA0020	None	None	G5	S3	SSC
<i>Anniella stebbinsi</i> southern California legless lizard	ARACC01060	None	None	G3	S3	SSC
<i>Arizona elegans occidentalis</i> California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
<i>Aspidoscelis hyperythra</i> orange-throated whiptail	ARACJ02060	None	None	G5	S2S3	WL
<i>Aspidoscelis tigris stejnegeri</i> coastal whiptail	ARACJ02143	None	None	G5T5	S3	SSC
<i>Atriplex coulteri</i> Coulter's saltbush	PDCHE040E0	None	None	G3	S1S2	1B.2
<i>Brodiaea filifolia</i> thread-leaved brodiaea	PMLIL0C050	Threatened	Endangered	G2	S2	1B.1
<i>Calochortus weedii</i> var. <i>intermedius</i> intermediate mariposa-lily	PMLIL0D1J1	None	None	G3G4T2	S2	1B.2
<i>Campylorhynchus brunneicapillus sandiegensis</i> coastal cactus wren	ABPBG02095	None	None	G5T3Q	S3	SSC
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's pincushion	PDAST20095	None	None	G5T1T2	S1	1B.1
<i>Comarostaphylis diversifolia</i> ssp. <i>diversifolia</i> summer holly	PDERI0B011	None	None	G3T2	S2	1B.2
<i>Danaus plexippus</i> pop. 1 monarch - California overwintering population	IILEPP2012	None	None	G4T2T3	S2S3	
<i>Dudleya multicaulis</i> many-stemmed dudleya	PDCRA040H0	None	None	G2	S2	1B.2
<i>Dudleya stolonifera</i> Laguna Beach dudleya	PDCRA040P0	Threatened	Threatened	G1	S1	1B.1
<i>Elanus leucurus</i> white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP
<i>Emys marmorata</i> western pond turtle	ARAAD02030	None	None	G3G4	S3	SSC
<i>Eucyclogobius newberryi</i> tidewater goby	AFCQN04010	Endangered	None	G3	S3	SSC



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Eumops perotis californicus</i> western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
<i>Euphorbia misera</i> cliff spurge	PDEUP0Q1B0	None	None	G5	S2	2B.2
<i>Gila orcuttii</i> arroyo chub	AFCJB13120	None	None	G2	S2	SSC
<i>Myotis yumanensis</i> Yuma myotis	AMACC01020	None	None	G5	S4	
<i>Oncorhynchus mykiss irideus pop. 10</i> steelhead - southern California DPS	AFCHA0209J	Endangered	None	G5T1Q	S1	
<i>Pentachaeta aurea ssp. allenii</i> Allen's pentachaeta	PDAST6X021	None	None	G4T1	S1	1B.1
<i>Phrynosoma blainvillii</i> coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
<i>Poliophtila californica californica</i> coastal California gnatcatcher	ABPB08081	Threatened	None	G4G5T2Q	S2	SSC
<i>Pseudognaphalium leucocephalum</i> white rabbit-tobacco	PDAST440C0	None	None	G4	S2	2B.2
<i>Quercus dumosa</i> Nuttall's scrub oak	PDFAG050D0	None	None	G3	S3	1B.1
<i>Southern Coast Live Oak Riparian Forest</i> Southern Coast Live Oak Riparian Forest	CTT61310CA	None	None	G4	S4	
<i>Southern Cottonwood Willow Riparian Forest</i> Southern Cottonwood Willow Riparian Forest	CTT61330CA	None	None	G3	S3.2	
<i>Southern Sycamore Alder Riparian Woodland</i> Southern Sycamore Alder Riparian Woodland	CTT62400CA	None	None	G4	S4	
<i>Spea hammondi</i> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<i>Thamnophis hammondi</i> two-striped gartersnake	ARADB36160	None	None	G4	S3S4	SSC
<i>Verbesina dissita</i> big-leaved crownbeard	PDAST9R050	Threatened	Threatened	G1G2	S1	1B.1
<i>Vireo bellii pusillus</i> least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	

Record Count: 37

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National Marine Fisheries Service Species List

Accessed 2.13.19 by Caltrans Biologist Chris Waterston

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 - **X**

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

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 Monica DeAngelis
monica.deangelis@noaa.gov
562-980-3232

MMPA Cetaceans - X
MMPA Pinnipeds - X

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Section 4(f) Correspondence

DEPARTMENT OF TRANSPORTATION

DISTRICT 12
1750 EAST 4TH STREET, SUITE 100
SANTA ANA, CA 92705
PHONE (657) 328-6000
FAX (657) 328-6522
TTY 711
www.dot.ca.gov/d12



*Making Conservation
a California Way of Life.*

October 1, 2018

Niki Wetzel
Assistant Director of Community Development
City of Lake Forest
25550 Commercentre Drive
Lake Forest, CA 92630

Dear Ms. Wetzel:

**Re: Interstate 5/El Toro Road Interchange Improvements Project: Coordination Letter
for the Section 4f *De Minimis* Preliminary Determination for Cavanaugh Park**

The California Department of Transportation (Caltrans) District 12, as the lead agency under the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA), in coordination with the Orange County Transportation Authority (OCTA) as the funding agency, proposes to modify the Interstate 5 (I-5)/ El Toro Road Interchange (post miles [PM] 17.9-19.3) in Orange County, California. Caltrans is preparing a joint Initial Study/Environmental Assessment (IS/EA).

The Federal Highway Administration (FHWA) assigned, and Caltrans assumed effective July 1, 2007 under the NEPA Pilot Program, all the Secretary of the United States Department of Transportation responsibilities under NEPA for environmental coordination and consultation under federal environmental laws pertaining to the review or approval of projects. Under a Memorandum of Understanding (MOU), effective October 1, 2012, and pursuant to MAP-21, Caltrans has continued to assume FHWA's responsibilities under NEPA and other federal environmental laws for projects on California's State Highway System (SHS) and for federal-aid local streets and roads projects. Caltrans is authorized to be acting as the FHWA with respect to the environmental review, consultation, and other actions required under those responsibilities.

Effective March 30, 2017, FHWA lifted the suspension on NEPA Assignment and authorized Caltrans to resume participation in NEPA Assignment under the 23 USC 326 and 23 USC 327 MOUs. Caltrans' participation in the NEPA Assignment Program was suspended on January 1, 2017 when Section 820.1 of the California Streets and Highways Code was repealed and California's waiver of sovereign immunity expired. The waiver of immunity was reinstated on March 29, 2017, when California Governor Brown signed into law Assembly Bill (AB) 28,

which added back Section 820.1 to the Streets and Highways Code. Under Section 820.1, California consents to the jurisdiction of federal courts for actions and decisions made by Caltrans under the 23 USC 326 and 23 USC 327 MOUs.

The proposed project will receive federal funding and/or discretionary approvals through the U.S. Department of Transportation (i.e. FHWA); therefore, documentation of compliance with Section 4(f) is required. The purpose of this letter is to provide you with a brief project description, familiarize you with the Section 4f Transportation Act, inform you that Caltrans has made a Preliminary *de minimis* Determination and share with you the project schedule pertaining to this 4f concurrence process.

Section 4(f) of the federal Department of Transportation Act of 1966 (49 U.S.C. 303) declares that “[i]t is the policy of the United States government that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.” Pursuant to Section 4(f) of the Department of Transportation Act of 1966 (Title 49 USC Section 303) and 23 CFR 774.17, Cavanaugh Park is recognized as a Section 4(f) resource. As the owner and operator of the park you are receiving this letter as part of Caltrans requirements for coordination and documentation of agreement from the official(s) with jurisdiction over the Section 4(f) resource, regarding the conditions cited in this letter.

De minimis impacts on publicly owned parks are defined as impacts that do not adversely affect the activities, features, and attributes that qualify the property for protection under the requirements of Section 4(f). Accordingly, a Preliminary Section 4(f) *de minimis* Determination is being proposed. The Resource Evaluation currently under preparation that will be available for review during public circulation of the environmental document (anticipated Spring 2019) identifies the Section 4(f) resources in the Project area, describes the nature and extent of the potential effects on the resources and describes measures to minimize harm to the affected resources.

The following paragraphs discuss the purpose and need and project alternatives being evaluated as part of the Draft Environmental Document.

Need

The area within the I-5/El Toro Road interchange experiences:

- heavy peak-hour congestion and traffic delays due to high traffic volumes;
- geometric deficiencies related to inadequate signal operations (or signal queuing distances);
- and major delays due to traffic queuing at the intersections of the on- and off-ramps and local streets.

Purpose

The purpose of the project is to:

- improve traffic flow and traffic signal optimization,
- reduce traffic congestion at and through adjacent local street intersections,

- and reduce freeway ramp queuing.

Five alternatives are being evaluated for the proposed project. These alternatives include the no-build and four build alternatives. A brief description of the four build alternatives (map attached) is provided below:

Build Alternative 1 proposes to modify the existing southbound I-5 offramp and realign the existing southbound I-5 onramp. The existing northbound I-5 onramp will be replaced with a proposed northbound I-5 onramp from Bridger Road.

Build Alternative 2 proposes a flyover structure that directly connects the southbound I-5 traffic to eastbound El Toro Road by traversing over the modified southbound I-5 hook off-ramp and the I-5 mainline and joining with the existing Bridger Road. The existing northbound I-5 on-ramp from westbound El Toro Road will be removed and replaced with a proposed on-ramp from Bridger Road.

Build Alternative 3 proposes to reconfigure the I-5/El Toro Road interchange to a diverging diamond interchange. By shifting cross-street traffic to the left side of the street between the signalized crossover intersections, vehicles on the cross street making left turns either on to or off ramps do not conflict with vehicles approaching from other directions.

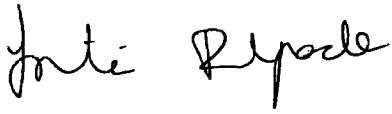
Build Alternative 4 proposes a new hook-style interchange with new southbound I-5 ramps that would connect to a new signalized intersection with Avenida de la Carlota in part of the Five Lagunas shopping center (formerly the Laguna Hills Mall) parking area as well as a southbound Collector-distributor system beginning at the existing southbound off-ramp to El Toro Road and ending at the Los Alisos Boulevard overcrossing.

The proposed project will result in a partial acquisition of Cavanaugh Park. Cavanaugh Park is one of 29 parks within the city of Lake Forest. It is approximately 5 acres. The project will permanently acquire 55,560 square feet (1.28 acres) of right of way and will require a temporary construction easement of 18,990 square feet (0.44 acres). This would approximately be the same for all build alternatives proposed. This area to be acquired is considered minimal in light of the entire park and would not adversely affect the activities, features, and attributes that qualify the project for protection under the requirements of Section 4(f) with the incorporation of minimization measures. In addition, our team would like to discuss/and coordinate with you Caltrans plans pertaining to this acquisition, and also understand the City's concerns.

Further consultation is necessary to confirm the *de minimis* impact findings of this direct use under Section 4(f). As discussed earlier, the Draft Environmental Document is currently scheduled for public circulation during Spring 2019 for a 30-day period. The Section 4(f) Resource Evaluation which is currently under preparation will be included in an Appendix to the Draft Environmental Document for your review and comment. After close of the public review period, Caltrans will respond to any 4(f) concerns and submit a Concurrence Letter for the City's approval by July 2019. As per FHWA and Caltrans guidelines, Caltrans will need the city of Lake Forest to concur with Caltrans' *de minimis* Determination prior to finalizing the IS/EA leading to a Mitigated Negative Declaration/Finding of No Significant Impact.

Please contact the undersigned at (657) 328-6151 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Smita Deshpande". The signature is fluid and cursive, with the first name "Smita" and last name "Deshpande" clearly distinguishable.

SMITA DESHPANDE
Branch Chief
Division of Environmental Analysis
Caltrans District 12

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Transportation Conformity Working Group Determination

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**August 28, 2018
Minutes**

THE FOLLOWING MINUTES ARE A SUMMARY OF THE MEETING OF THE TRANSPORTATION CONFORMITY WORKING GROUP. A DIGITAL RECORDING OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.

The Meeting of the Transportation Conformity Working Group was held at the SCAG office in Los Angeles.

In Attendance:

Huddleston, Lori	Metro
Kartounian, Haig	SCE
Morris, Michael	FHWA

SCAG:

Barajas, Agustin
Louie, Matthew
Luo, Rongsheng
Tran, Daniel

Via Teleconference:

Asuncion, John	SCAG
Bade, Robindra	Caltrans District 12
Brugger, Ron	LSA Associates
Cacatian, Ben	VCAPCD
Christian, Shalanda	Caltrans Headquarters
Jayaram, Varalakshmi	Ramboll
Kalandiyur, Nesamani	ARB
Krause, Michael	SCAQMD
Lau, Charles	Caltrans District 7
Lay, Keith	HDR Engineering
Lester, Julia	Ramboll
Luzaro, Julie	Caltrans District 12
Marroquin, Nancy	Metro
Mejia, James	SBCTA
Morrissey, Doreen	Metro
Pereira, Melina	Caltrans District 11
Sanchez, Lucas	Caltrans Headquarters
Sherwood, Arnold	UCB
Slavick, Michael	LSA Associates
Yoon, Andrew	Caltrans District 7

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**August 28, 2018
Minutes**

1.0 CALL TO ORDER AND SELF-INTRODUCTION

Lori Huddleston, TCWG Chair, called the meeting to order at 10:05 am.

2.0 PUBLIC COMMENT PERIOD

None.

3.0 CONSENT CALENDAR

- 3.1. July 24, 2018 TCWG Meeting Minutes
The meeting minutes were approved.

4.0 INFORMATION ITEMS

4.1 Review of PM Hot Spot Interagency Review Forms

1) **ORA131105**

It was determined that this is not a POAQC (Caltrans Headquarters, EPA, and FHWA concurrence received via email after meeting).

2) **SBD59204**

It was determined that this is not a POAQC (Caltrans Headquarters, EPA, and FHWA concurrence received via email after meeting).

4.2 Review of Quantitative PM Hot Spot Analysis Protocol

I-710 Corridor Project

Andrew Yoon, Caltrans District 7, presented a brief project description and a summary of proposed protocol including assumptions and methodology. In addition, Mr. Yoon reported the following:

- An earlier version of Protocol had been submitted to U.S. EPA, SCAQMD, and FHWA for review.
- Caltrans District 7 had only received comments from U.S. EPA and was working with Metro staff and consultants to prepare response to EPA comments.
- Caltrans District 7 staff would report back to TCWG when Protocol is finalized.

In response to a question, Mr. Yoon, Caltrans District 7, stated that revisions to protocol were expected as a result of EPA comments.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**August 28, 2018
Minutes**

It was concurred by TCWG that monthly meetings of staff of Caltrans Headquarters, District 7, SCAQMD, EPA, FHWA, and Metro, and Metro consultant established for the project be utilized as TCWG subgroup meetings to address EPA comments.

4.3 Draft Imperial County PM₁₀ Emission Budgets

Nesamani Kalandiyur, ARB, reported the following:

- PM₁₀ transportation conformity budgets had been prepared for attainment year 2016, 20 tons per day (tpd), and last maintenance plan year 2030, 19 tpd.
- Budgets cover tailpipe emissions, tire and break wear, and re-entrained road dusts, and were calculated with latest travel activity data and EMFAC2014.
- Budgets were scheduled to be presented to ICAPCD Board in October and then to ARB Board in December 2018 for approval as part of Imperial County PM₁₀ SIP.

4.4 FTIP Update

John Asuncion, SCAG, reported the following:

- Public comment period for 2019 FTIP concluded on August 8, 2018.
- 2019 FTIP was scheduled to be adopted by SCAG's Regional Council on September 6, 2018 and federal approval was expected in mid December 2018.
- 2017 FTIP Administrative Modification #17-23 was anticipated to be approved by August 31, 2018.

4.5 RTP Update

Daniel Tran, SCAG, reported the following:

- In conjunction with 2019 FTIP, 2016 RTP/SCS Amendment #3 including associated transportation conformity determination and PEIR Addendum was scheduled to be adopted by SCAG's Regional Council on September 6, 2018.
- Upon Regional Council adoption, 2016 RTP/SCS Amendment #3 will be submitted to FHWA/FTA along with 2019 FTIP for review and approval, anticipated in mid December 2018.
- 2020 RTP/SCS call for project submittal would be initiated on September 4 and through November 1, 2018 for County Transportation Commissions (CTCs) to make changes to regional significant projects as well as add new projects. SCAG's FTIP database would also be open for modeling changes to FTIP projects.
- SCAG staff would send an email to CTCs in week of September 2, 2018 regarding 2020 RTP/SCS project input sheet and 2021 FTIP database.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**August 28, 2018
Minutes**

4.6 EPA Update
None.

4.7 Air Resources Board Update

Nesamani Kalandiyur, ARB, reported the following:

- EMFAC2017 model and technical documentation were submitted to U.S. EPA for review in July 2018 and EPA approval was anticipated in end of 2018 or early 2019.
- ARB staff was updating SIPs including transportation conformity budgets in response to recent court rulings. Updated SIPs were scheduled to be presented to ARB Board in October 2018.
- ARB staff had been working with SCAG staff to reflect latest travel activity projections into the SIP updates.

4.8 Air Districts Update

Rongsheng Luo, SCAG, reported the following on behalf of Michael Krause, SCAQMD:

- SCAQMD staff was updating 1-hour ozone attainment demonstration to include latest emission inventory [used to demonstrate attainment of other standards in 2016 South Coast Air Quality Management Plan (AQMP)].
- SCAQMD staff had determined that 1-hour ozone standards would be attained by 2022 with baseline emissions and SCAQMD strategy. Although ARB or Clean Air Act Section 182(e)(5) measures were not needed for attainment demonstration, contingency measures would rely on ARB rules.
- Preliminary draft would be available soon online at:
<http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan>.
- A public workshop had been scheduled for September 20, 2018 and workshop notice had been posted online at: <http://www.aqmd.gov/docs/default-source/clean-air-plans/air-quality-management-plans/2016-air-quality-management-plan/updated-1-hour-ozone-attainment-demonstration/Updated-1-hour-ozone-PW-092018.pdf?sfvrsn=8>.

Ben Cacatian, VCAPCD, reported that VCAPCD continued working with U.S. EPA in review of VCAPCD's 2016 AQMP for 2008 8-hour ozone standards.

5.0 INFORMATION SHARING

None.

**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**August 28, 2018
Minutes**

6.0 ADJOURNMENT

The meeting was adjourned at 11:00 am. The next Transportation Conformity Working Group meeting will be held on Tuesday, September 25, 2018 at the SCAG main office in downtown Los Angeles.