

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 consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including Project Development Team (PDT) meetings, interagency coordination meetings, and consultation with interested parties. This chapter summarizes the results of the California Department of Transportation (Caltrans) efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

4.1 Notice of Initiation of Studies

The environmental scoping process to involve the public on the Interstate 5 (I-5) Improvement Project Draft Initial Study/Environmental Assessment (IS/EA) was initiated with two public information meetings held by Orange County Transportation Authority (OCTA) in January 2015. These public information meetings were held at two different locations: Cypress Park Community Center in the City of Irvine on January 26, 2015, at 5:00 p.m., and Tustin High School in the City of Tustin on January 28, 2015, at 5:00 p.m.

A notice of public information meetings was prepared and distributed to inform businesses and property owners within 1,000 feet of the project footprint that two open house- format public information meetings would be held. The meetings included exhibits and informational handouts about the project to help participants understand the scope and schedule of the project; and learn about the planning and environmental review process, as well as the proposed alternative concepts. The meetings were structured to encourage open discussion of issues and concerns. Four comment cards were received at the meeting in Irvine and 12 were received at the meeting in Tustin. Areas of concern included the proposed design, bicycle and pedestrian safety, property impacts, and noise barriers.

Attendance at the January 26, 2017, meeting included 17 persons; and attendance at the January 28, 2017, meeting included 43 persons.

Copies of the Public Notice are provided following page 4-8, and copies of the attendance sign-in sheets are provided following page 4-8, at the end of this chapter.

4.2 Interagency Coordination and Consultation

The formulation of project alternatives and mitigation has been carried out through a cooperative dialogue among representatives of the following agencies or organizations:

- Orange County Transportation Authority (OCTA)
- California Department of Transportation (Caltrans)
- City of Irvine
- City of Tustin
- Native American representatives
- Historical groups
- State Historic Preservation Officer (SHPO)
- Southern California Association of Governments (SCAG) Transportation Conformity Working Group (TCWG)
- California Department of Fish and Wildlife (CDFW)
- United States Fish and Wildlife Service (USFWS)
- United States Army Corps of Engineers (USACE)

The following sections summarize the results of the efforts of both Caltrans and OCTA to fully identify, address, and resolve project-related issues through early and continuing coordination.

4.2.1 Native American Consultation

Consultation with a number of Native American Tribes (groups and individuals) was conducted in November 2016 in compliance with Section 106 of the National Historic Preservation Act. Assembly Bill 52 (AB 52), which amended the California Environmental Quality Act (CEQA) to require consultation with Native American Tribes, became effective July 1, 2015. As a result, additional Native American coordination under AB 52 was initiated in February 2017. The consultation with the Native American Heritage Commission (NAHC) and Native American representatives is summarized in Table 4.1. A copy of the NAHC correspondence is included at the end of this chapter.

Table 4.1: Summary of Native American Consultation

Agency and Agency Representative	Date of First Contact (Formal Letter)	Date of Reply	Dates of Follow-up Contact	Consultation Topic
Native American Heritage Commission (NAHC) Gayle Totton, Program Analyst	November 1, 2016 February 1, 2017 (AB 52)	November 9, 2016	N/A	November 1, 2016: A letter was sent to the NAHC requesting a search of the Sacred Lands File (SLF) in order to identify areas of religious or cultural significance to Native Americans. The NAHC request letter is included at the end of this chapter. November 9, 2016: The NAHC responded on November 9, 2016, to say that the SLF search was negative for the immediate Area of Potential Effects (APE), but recommended that nine Native American individuals representing the Gabrielino, Gabrielino Tongva, and Juaneño groups be contacted for possible additional information. November 22, 2016: Letters discussing the project and requesting information on Native American heritage resources were sent via certified letter and email to NAHC listed contacts on November 22, 2016. February 1, 2017: In compliance with Assembly Bill (AB) 52, a letter was sent to the NAHC requesting a search of the SLF in order to identify areas of religious or cultural significance to Native Americans. The NAHC request letter is included at the end of this chapter.
Gabrieleño Band of Mission Indians – Kizh Nation Andrew Salas, Chairperson	November 22, 2016 February 23, 2017 (AB 52)	December 13, 2016	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Gabrieleno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. December 13, 2016: A response email was received, which stated that the project lies in the group's traditional ancestral territory and the location is considered sensitive for cultural resources. Because of this, Mr. Salas requested that one of their qualified tribal monitors, as well as an archaeologist, be present on site during all ground-disturbing activities in order to identify and protect cultural resources. March 14, 2017: The group was again contacted by email and asked to identify specific areas of concern where cultural resources could be affected. No additional response was received.

Table 4.1: Summary of Native American Consultation

Agency and Agency Representative	Date of First Contact (Formal Letter)	Date of Reply	Dates of Follow-up Contact	Consultation Topic
Gabrieleno/Tongva San Gabriel Band of Mission Indians Anthony Morales Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Gabrieleno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.
Gabrielino/Tongva Nation Sandonne Goad Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Gabrielino group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.
Gabrielino Tongva Indians of California Tribal Council Robert Dorame Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Gabrielino group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.
Gabrielino-Tongva Tribe Linda Candelaria Co-Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Gabrielino group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.

Table 4.1: Summary of Native American Consultation

Agency and Agency Representative	Date of First Contact (Formal Letter)	Date of Reply	Dates of Follow-up Contact	Consultation Topic
Juaneno Band of Mission Indians Sonia Johnston Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Juaneno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.
Juaneno Band of Mission Indians Acjachemen Nation – Belardes Matias Belardes Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Juaneno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.
Juaneno Band of Mission Indians Acjachemen Nation – Belardes Joyce Perry, Tribal Manager	November 22, 2016, and February 23, 2017 (AB 52)	December 12, 2016 (Email) December 29, 2016 (Email)	December 7, 2016, and December 27, 2016	November 22, 2016: Per NAHC recommendation, the Juaneno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. December 12, 2016: A response email was received, which requested the result of the record search before commenting. December 27, 2016: Per request, the record search results were sent to the group on December 27, 2016. December 29, 2016: They have no concerns at this time, but they would like to be notified of any inadvertent discoveries.

Table 4.1: Summary of Native American Consultation

Agency and Agency Representative	Date of First Contact (Formal Letter)	Date of Reply	Dates of Follow-up Contact	Consultation Topic
Juaneno Band of Mission Indians Acjachemen Nation – Romero Teresa Romero Chairperson	November 22, 2016, and February 23, 2017 (AB 52)	None	December 7, 2016, and December 13, 2016	November 22, 2016: Per NAHC recommendation, the Juaneno group was contacted for information regarding cultural resources that could be affected by the project. December 7, 2016: No initial response was received as a result of the project notification letter. A follow-up email was sent to the group. No responses were received from this group.

Source: *Historic Property Survey Report* (2017).

AB = Assembly Bill

N/A = Not Applicable

NAHC = Native American Heritage Commission

4.2.1.1 State Historic Preservation Officer

As assigned by the Federal Highway Administration (FHWA), Caltrans has determined the historic properties evaluated as a result of the project that are not eligible for inclusion in the National Register of Historic Places within the project Area of Potential Effects (APE). Under the Section 106 Programmatic Agreement (PA) Stipulation VIII.C, Caltrans requested SHPO's concurrence on this eligibility determination on January 30, 2018. SHPO concurrence was received on March 15, 2018.

4.2.2 Transportation Conformity Working Group

The Build Alternative was submitted to stakeholders at a TCWG meeting on June 28, 2016, pursuant to the interagency consultation requirement of 40 Code of Federal Regulations (CFR) 93.105 (c)(1)(i). Environmental Protection Agency (EPA), California Air Resources Board (ARB), Southern California Air Quality Management District (SCAQMD), and other interagency consultation participants concurred that the Build Alternative is not a project of air quality concern (POAQC) under 40 CFR 93.123(b)(1). The Build Alternative would not add diesel-truck capacity or be a major truck traffic generator as diesel heavy-truck traffic makes up approximately 5.5 percent of the total traffic volumes within the project limits. Therefore, the Build Alternative would not be considered a POAQC under 40 CFR 93.126 as it would not create new or worsen existing particulate matter less than 2.5 microns in size (PM_{2.5}) violation.

Copies of the TCWG determinations are included at the end of this chapter.

4.2.3 Federal Highway Administration Project Level Conformity Determination

As described in Section 2.13.3.2, the *Air Quality Conformity Analysis* for the project was sent to the FHWA on April 25, 2019, for conformity determination. Approval was received on June 3, 2019. A copy of FHWA's determination is included at the end of this chapter.

4.2.4 United States Fish and Wildlife Service

Official species lists were obtained from the United States Fish and Wildlife Service (USFWS) on October 16, 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 a proposed project. The species lists provided by the USFWS are included at the end of this chapter.

4.2.5 United States Army Corps of Engineers

A *Preliminary Jurisdictional Delineation* (JD) (February 2017) report was prepared as an appendix to the *Natural Environment Study* (NES) (May 2017) supporting this IS/EA. Areas within the Study Area have been identified as potentially subject to USACE jurisdiction pursuant to Section 404 of the Clean Water Act. The JD will be submitted to the USACE for their review and concurrence.

4.2.6 Section 4(f) Consultation

As described in more detail in Appendix A, the Build Alternative will have temporary and permanent impacts to Section 4(f) resources. A consultation letter from Caltrans and OCTA (project proponents) to the City of Irvine (the official with jurisdiction over four Section 4(f) properties) and County of Orange (the official with jurisdiction over one Section 4(f) properties) is included in Appendix A. The letter includes a description of the project and the potential project effect on the two parks and three off-street trails (City of Irvine), the one off-street trail (County of Orange) in the Study Area, the preliminary Section 4(f) determinations, and a request for the City of Irvine and County of Orange to conclude if the agency is in agreement with the findings. Upon selection of the Preferred Alternative, a follow-up letter was sent to the City of Irvine and the County of Orange requesting concurrence on the *de minimis* findings for the Section 4(f) resources affected by Alternative 2B (Preferred Alternative). These resources include the Sand Canyon Trail (City of Irvine), Peters Canyon Off-Street Bikeway (City of Irvine), and the Peters Canyon Regional Trail (County of Orange). On June 3, 2019, the City of Irvine provided written concurrence on the *de minimis* finding for the Sand Canyon Trail and Peters Canyon Off-Street Bikeway and on June 5, 2019, the County of Orange provided written concurrence on the *de minimis* finding for the Peters Canyon Regional Trail. These concurrence letters are included in Appendix A.

4.3 Community Outreach and Public Involvement

4.3.1 Project Development Team

The Cities of Tustin and Irvine participate in the regular PDT meetings conducted by OCTA and Caltrans for the I-5 Improvement project. The PDT meetings cover a wide range of topics related to the proposed project, including development and evaluation of alternatives, engineering considerations, environmental issues, and the environmental document and documentation process. On March 14, 2019, after considering the evaluation conducted as part of this document and public comments

received during the public review period, the PDT selected the Build Alternative with Alternative 2B as the Preferred Alternative.

4.3.2 Orange County Transportation Authority Project Website

The OCTA maintains a webpage (available at [http://www.octa.net/Projects-and-Programs/All-Projects/Freeway-Projects/Santa-Ana-Freeway-\(I-5\)/I-5-\(I-405-to-SR-55\)/?frm=7128](http://www.octa.net/Projects-and-Programs/All-Projects/Freeway-Projects/Santa-Ana-Freeway-(I-5)/I-5-(I-405-to-SR-55)/?frm=7128)) that provides information to the public regarding the proposed I-5 project and the status of the environmental document and the environmental documentation process for the project. Caltrans also maintains a website that provides similar information (available at <http://www.dot.ca.gov/d12/DEA/5/0K670>).

4.3.3 Noise Barrier Surveys

Noise barrier surveys were sent to the benefited receptors for the feasible and reasonable noise barriers identified in the Noise Abatement Decision Report (NADR). Based on the *Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects* (May 2011) for abatement located within State right-of-way, if more than 50 percent of the votes from responding benefited receptors oppose the abatement, the abatement will not be considered reasonable. Votes from property owners and non-owner occupants of benefited receptors were surveyed. For owner-occupied dwelling units, the property owner gets one vote. For non-owner-occupied dwelling units, the renter gets 10 percent of one vote and the owner get 90 percent of one vote. For noise abatement to occur on private property, 100 percent of the owners of the property upon which the abatement is to be placed must support the proposed abatement. In the case of proposed noise abatement on private property, no response from a property owner, after a reasonable number of attempts, is considered a “no” vote.

On May 14, 2018, noise barrier survey letters were delivered via United States Postal Service (USPS) Certified Mail to a total of 1,308 property owners and non-owner occupants of the benefited receptors to obtain their viewpoints on the feasible and reasonable noise barriers. Specifically, for noise barriers located within the State right-of-way, survey letters were delivered to both property owners and non-owner occupants. For noise barriers located on private property, survey letters were delivered to property owners only. Residents were asked to respond by June 15, 2018, and informed that surveys not received by the due date would be counted as a “no” vote. A follow-up letter, dated July 11, 2018, and the original survey letter package were delivered to property owners who had not responded to the initial survey letter via USPS Priority Mail. The follow-up survey responses were due August 1, 2018.

After August 1, 2018, an assessment was conducted specifically for property owners located behind private property noise barriers. Site visits were used to contact the property owners to obtain their viewpoint on the proposed noise barrier.

Following the due dates from the surveys, the responses were tallied for each of the noise barriers. Based on the responses received, the 16 ft high barrier received the highest vote for Noise Barrier Nos. 1.1, 3.3, 4.1, 6.1, 6.2, 7.2, 10.1, 11.2/11.4, 13.1, and 14.1. Also, Noise Barrier Nos. 3.2, 4.3, and 14.3 would no longer be considered for construction because the property owner(s) of the properties on which the noise barrier would be constructed did not achieve 100 percent support. Based on these responses and the selection of the Build Alternative with Alternative 2B as the Preferred Alternative, Noise Barriers Nos. 1.1, 3.3, 4.1, 6.1, 6.2, and 11.2/11.4 will be carried forward into final design.

The preliminary noise abatement decision presented here is based on preliminary project alignments and profiles, which may be subject to change during the design phase. As such, the physical characteristics of noise abatement measures described herein may also be subject to change. The final decision regarding noise abatement measures is made during final design. The public will be notified of the final location and height of noise abatement measures during final design.

4.3.4 Public Circulation of the Draft Initial Study/Environmental Assessment

Public circulation of the Draft Initial Study (IS)/Environmental Assessment (EA) began on May 8, 2018, and ended on June 8, 2018, for a 32-day review period.

As outlined in the Federal Highway Administration (FHWA) *Guidance for Preparing and Processing Environmental and Section 4(f) Documents, Technical Advisory T 6640.8A*, Section H, following the public availability period, the EA should be revised or an attachment provided, as appropriate, to (1) reflect changes in the proposed action or mitigation measures resulting from comments received on the EA or at the public hearing (if one is held) and any impacts of the changes, (2) include any necessary findings, agreements, or determination (e.g., wetlands, Section 106, Section 4(f)) required for the proposal, and (3) include a copy of pertinent comments received on the EA and appropriate responses to the comments.

As required by California Environmental Quality Act (CEQA) Guidelines Section 15072, a Notice of Intent (NOI) to adopt an MND and availability of the IS (and Notice of Public Hearing) was filed with the Orange County Clerk and the State

Clearinghouse on May 8, 2018 (please see public notice on the following page). Additionally, as required by the CEQA Guidelines Section 15087, a public notice of availability of the Draft IS/EA for the Interstate 5 (I-5) Widening Project was published as a display ad in the *Orange County Register* (May 8, 20, and 27, 2018), the *Orange County Register* (online) (May 17 through May 31, 2018), the *Excelsior/Unidos* (May 11, 2018), the *Excelsior/Unidos* (online) (May 17 through May 31, 2018), *The Korea Daily* (May 14, 2018), the *Irvine World News* (May 17, 2018), the *World Journal* (May 19, 2018), *World Journal* (online) (May 17 through May 27, 2018), and Facebook Advertised Posts (May 17 through May 30, 2018). Printed copies and compact discs of the Draft IS/EA were mailed to the Responsible Agencies and other agencies and were made available for public review at the following locations:

- Caltrans District 12 Office, 1750 E 4th Street, Suite 100, Santa Ana, CA
- Irvine/Heritage Park Library, 14362 Yale Avenue, Irvine, CA
- Irvine/Katie Wheeler Library, 18109 Old Myford Road, Irvine, CA
- Tustin City Hall, Public Works Department, 300 Centennial Way, Tustin, CA

The document was also available online at: <http://www.dot.ca.gov/d12/DEA/5/0K670>.

A Notice of Public Hearing was distributed on May 8, 2018, to notify the public about the May 24, 2018, and May 30, 2018, public hearings and the availability of the Draft IS/EA for the 30-day public comment period (please see Public Notice). The public hearings were held from 5:30 p.m. to 8:00 p.m. at Tustin High School, 1171 El Camino Real, Tustin, CA, and Lakeview Senior Center, 20 Lake Road, Irvine, CA. These were attended by 118 members of the public. A total of 12 comments were recorded by the court reporter; all other comments were submitted via comment cards. Issues raised by the public included increases in noise level/sound barriers, need for the Build Alternative, continued traffic congestion, and property values. Representatives from Caltrans, OCTA, and the consultant team also attended the hearings.

4.3.5 Format of Responses to Comments

See Appendix K for the responses to public comments. Individual issues within each comment letter are numbered along the margin of each letter. The responses to each comment letter immediately follow each letter and are referenced by the index numbers in the margin.

The format of the responses below is based on a unique letter and number code for each comment. The number at the end of each code refers to specific comments within the individual letter. Therefore, each comment has a unique code assignment. For example, L-1-1 is the first comment in the letter L-1. “F” represents Federal Agencies, “S” represents State Agencies, “R” represents regional agencies, “L” represents local agencies, “D” represents districts, “P” represents public comments, “CC” represents comment cards received at the public hearing, and “T” represents comments transcribed at the public hearing by the court reporter.

Table 4.2 provides an index list of the agencies and persons that commented on the Draft IS/EA prior to the close of the public comment period or immediately thereafter. Each comment letter received is indexed with the number below.

Table 4.2 Comment Letters Received During Public Comment Period

Letter	Name	Date
F-1	United States Environmental Protection Agency	June 8, 2018
F-2	Federal Emergency Management Agency	June 1, 2018
S-1	California Department of Fish and Wildlife	June 5, 2018
S-2	Governor’s Office of Planning and Research	June 7, 2018
R-1	South Coast Air Quality Management District	May 29, 2018
L-1	City of Tustin	June 8, 2018
L-2	City of Irvine	June 8, 2018
L-3	Transportation Corridor Agencies	June 8, 2018
D-1	Irvine Unified School District	June 5, 2018
P-1	Edgar Vargas	May 25, 2018
P-2	Joey Madlangbayan	May 10, 2018
P-3	Kris Etemadi	May 16, 2018
P-4	Lisa Ganz	May 24, 2018
P-5	Marie-Helene Luebbers	May 9, 2018
P-6	Mary Kay Bollenbacher	May 20, 2018
P-7	Mitch Moss	May 11, 2018
P-8	Susan Eilenberg	May 21, 2018
P-9	Won Hee Kim	May 25, 2018
P-10	Yvette Ximenez	May 8, 2018
P-11	The Irvine Company	June 7, 2018
P-12	Bernice Kirzner	May 30, 2018
P-13	Brandon Dillon	May 29, 2018
P-14	Felix Chen	June 7, 2018
P-15	James and Terry Johnson	June 8, 2018
P-16	Transit Advocates of Orange County	June 8, 2018
P-17	Jawed Hameed	June 8, 2018
P-18	Lan Huong Thi Pham	May 29, 2018
P-19	Michael LaRocco	June 1, 2018
P-20	Stephanie Vaughn	June 8, 2018
P-21	Suresh Lohiya	June 6, 2018
P-22	Toby Moore	June 8, 2018

Table 4.2 Comment Letters Received During Public Comment Period

Letter	Name	Date
P-23	Matthew Jones	June 8, 2018
P-24	Peter J West	May 22, 2018
P-25	Nancy O'Donnell	May 28, 2018
P-26	Bernice Kirzner	May 25, 2018
P-27	Kavin Parikh	May 23, 2018
P-28	Linda Behrens	May 20, 2018
CC-1	Scott Couchman	May 24, 2018
CC-2	Jeff R. Thompson	May 24, 2018
CC-3	James and Anna Jin	May 24, 2018
CC-4	Won Hee Kim	May 24, 2018
CC-5	Melissa Guzzetta	May 24, 2018
CC-6	Pamela Williams	May 24, 2018
CC-7	Jorge Rodriguez	May 24, 2018
CC-8	Khang Luc	May 24, 2018
CC-9	Mary Kay Bollenbacher	May 24, 2018
CC-10	T.C. Sherry	May 24, 2018
CC-11	Judith Jones	May 24, 2018
CC-12	Dr. Bernard Miller	May 24, 2018
CC-13	Jeff R. Thompson	May 24, 2018
CC-14	Jami Brackin	May 24, 2018
CC-15	N/A	May 24, 2018
CC-16	Michael Evans	May 24, 2018
CC-17	Kathleen Arnold	May 24, 2018
CC-18	Khang Luc	May 24, 2018
CC-19	Dolores M. Gonzalez	May 24, 2018
CC-20	Felix Chen	May 30, 2018
CC-21	Teresa Siaca	May 30, 2018
CC-22	Ryan Thoth	May 30, 2018
CC-23	Dennis and Kim Hampton	May 30, 2018
CC-24	Suresh	May 30, 2018
CC-25	Angela Barker	May 30, 2018
CC-26	Barbara and Linda Olsen	May 30, 2018
CC-27	Jacqueline Connolly	May 30, 2018
CC-28	Jennifer Lambeth	May 30, 2018
T-1-1	Jami Brackin	May 24, 2018
T-1-2	Martin Fier	May 24, 2018
T-1-3	Anonymous Speaker	May 24, 2018
T-1-4	Anonymous Speaker	May 24, 2018
T-1-5	Jon Tuin	May 24, 2018
T-2-1	Eugene Ordonez	May 30, 2018
T-2-2	Anonymous Speaker	May 30, 2018
T-2-3	Bob McBride	May 30, 2018
T-2-4	Gina Roell	May 30, 2018
T-2-5	Nancy Maguire	May 30, 2018
T-2-6	Linda and Barbara Olsen	May 30, 2018
T-2-7	Charles Salasovic	May 30, 2018

Table 4.3 provides an index list of the agencies and persons that commented on the Draft IS/EA following the close of the public comment period. Each comment letter received is indexed with the number below.

Table 4.3 Comment Letters Received After the Comment Period

Letter	Name	Date
P-29	Lawrence Whitlock	June 12, 2018
P-30	Orange County Business Council	July 17, 2018



PUBLIC NOTICE



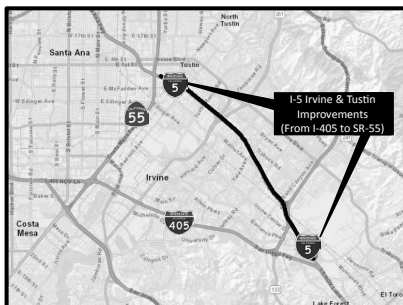
INTERSTATE 5 IMPROVEMENTS PROJECT FROM INTERSTATE 405 TO STATE ROUTE 55

Notice of Intent to Adopt a Mitigated Negative Declaration/Finding of
No Significant Impact – Study Results – Announcement of Public Hearing

WHAT'S BEING PLANNED?

The California Department of Transportation (Caltrans), in partnership with the Orange County Transportation Authority (OCTA), proposes to widen Interstate 5 (I-5) between Interstate 405 (I-405) and State Route 55 (SR-55) from Post Mile (PM) 21.3 to 30.3 through the cities of Irvine and Tustin.

The purpose of the proposed project is to relieve congestion by increasing capacity and improving traffic operations to meet existing and future traffic demands on I-5 between I-405 and SR-55 in the northbound and southbound directions, while minimizing environmental and economic effects.



The alternatives include Alternative 1 (No Build Alternative) and Alternative 2. Alternative 2 includes two design variations, Design Variation A and Design Variation B. Therefore, Alternative 2 with Design Variation A is called Alternative 2A and Alternative 2 with Design Variation B is called Alternative 2B. The two design variations (2A and 2B) propose to add one general-purpose lane and improve operational deficiencies in each direction.

WHY THIS AD?

Caltrans and OCTA have studied the effects this project may have on the environment. Our studies conclude it will not significantly affect the quality of the environment. The report that explains these findings is called an Initial Study/Environmental Assessment (IS/EA) with Mitigated Negative Declaration (MND)/Finding of No Significant Impact (FONSI). This public notice is to tell you of the preparation of the proposed IS/EA with MND/FONSI, and of its availability for you to read and provide comments. Your comments will be considered by Caltrans and OCTA in choosing the Preferred Alternative.

Two public hearings (open house format) will be held to give you the opportunity to talk about certain design features of the project with Caltrans and OCTA staff before the Preferred Alternative is selected. Staff will also address questions on the project schedule and right-of-way.

WHAT'S AVAILABLE?

Maps for the proposed IS/EA with MND/FONSI and other project information are available for review and copying (for a fee) at the Department District 12 Office, 1750 E 4th Street, Suite 100, Santa Ana, CA 92705 on weekdays from 8 a.m. to 5 p.m. The proposed IS/EA with MND/FONSI is also available for review during regular business hours at:

- Irvine/Heritage Park Library - 14361 Yale Avenue, Irvine, CA 92604
- Irvine/Katie Wheeler Library - 13109 Old Myford Road, Irvine, CA 92602
- Tustin City Hall - Public Works Department - 300 Centennial Way, Tustin, CA 92780
- And online at: <http://bit.ly/the5ocDEA2>

WHERE YOU COME IN

You have the opportunity to ask questions, receive information and share comments with OCTA and Caltrans staff about the proposed project, findings, and processing the project as the proposed IS/EA with MND/FONSI. If you cannot attend the hearing, you can submit your comments in writing no later than June 8, 2018 to Caltrans District 12, Division of Environmental Analysis, 1750 E 4th Street, Suite 100, Santa Ana, CA 92705 (Attn: Brian Liu) or email to: D12.I-5.Improvements@dot.ca.gov. Comments will be accepted beginning May 8, 2018. Depending upon the comments received, Caltrans may move forward with the selection of a Preferred Alternative which could advance to the design phase.

WHEN AND WHERE?

Date: Thursday, May 24, 2018
Time: Stop by any time between 5:30 – 8:00 p.m.
Location: Tustin High School
1171 El Camino Real
Tustin, CA 92780

Date: Wednesday, May 30, 2018
Time: Stop by any time between 5:30 – 8:00 p.m.
Location: Lakeview Senior Center
20 Lake Road
Irvine, CA 92604

Information shared will be the same at both meetings. Stop by any time between 5:30 p.m. and 8:00 p.m. Individuals who require special accommodation (American Sign Language interpreter, accessible seating, documentation in alternate formats, etc.) are requested to contact Caltrans District 12 Chief of Public Affairs and Media Relations, Lindsey Hart at (657) 328-6000 at least 21 days prior to the scheduled open house date. TTD users may contact California Relay Service TTY line at (800) 735-2929 or Voice Line at (800) 735-2922.

CONTACT

For more information about this study, please call Fernando Chavarria, OCTA Community Relations, at (714) 560-5306 or visit the project webpage at www.octa.net/i5irvinetustinproject.

This page intentionally left blank



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Monday, January 26, 2015, 5:00 - 8:00 PM

Cypress Community Park – Multipurpose Room

Business Card Sign-in Sheet

 Office of TODD SPITZER Supervisor, Third District CARRIE O'MALLEY Senior Policy Advisor Orange County Board of Supervisors 333 W. Santa Ana Blvd. Santa Ana, California 92701 bos.ocgov.com/third Office: 714-834-3330 Fax: 714-834-2786 Carrie.Omalley@ocgov.com	 One Civic Center Plaza P.O. Box 19575 Irvine, California 92623-9575 Katie Berg-Curtis Project Development Administrator Public Works Department (949) 724-7347 Fax (949) 724-7517 Printed on recycled paper. www.cityofirvine.org kberg-curtis@cityofirvine.org	YOUR BUSINESS CARD HERE
YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE
YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Monday, January 26, 2015, 5:00 - 8:00 PM

Cypress Community Park – Multipurpose Room

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Yonno Washington	CALTRANS			
Helen Fuerst	Resident	14131 Moore Ct, Irvine	949-551-5168	helen.fuerst@cox.net
PAUL FOX	CHP	2031 E. SANTA CLARA	—	—
SCOTT MOORHOUSE	CHP / SNA STATION	2031 E Santa Clara Ave	714 567-6000	SMoorhouse@chp.ca.gov
TINO OLIVERA	CHP/SANTA ANA	2031 E. SANTA CLARA AVE	714-567-6000	
Lisa Chow		18 Westmoreland Irvine.		faith8223hfc@yahoo.com
Barbara Olsen	Resident	5 Montgomery	949 552-2142	lesabre76@junio.com
Raj Pirathiving	Resident	3 Albany	949 242 2014	pirathiraj7@gmail.com



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Monday, January 26, 2015, 5:00 - 8:00 PM

Cypress Community Park – Multipurpose Room

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Nancy Ferguson	RESIDENT	14141 DOORE CT.	949 300-4220	hatrikmon@gmail.com
Michael Nebel	RESIDENT	13 ELFA	949 872-3979	mikenebea@gmail.com
Caesar Stewart	Resident	12 Helena Irvine, CA 92604	213 300.3981	stewsee@hotmail.com
Angela Stewart	Resident	12 Helena Irvine CA 92604	360 617-0759	A0Stewart87@gmail.com



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Monday, January 26, 2015, 5:00 - 8:00 PM

Cypress Community Park – Multipurpose Room

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Serana Burciaga	Voter	825 So. 10th St Montebello 90640	213 220 4117	sub mwg & hotmail.com
Scott Shelley	Caltrans	District 12 Office		scott.shelley@dot.ca.gov
Toni Reger	resident	436 Grand Canal Irvine 92620	949 387-6540	disney fn & UCI.EDU
Angel Garcia	commuter		(951) 216-1673	AGarc052@UCR.edu
Esther Hsiao	resident	26415 Via Conchita Mission Viejo, CA 92691	949 5864526	jadehidden@gmail.com
MIN ZHOU	resident	2 Liquid Amber, Irvine.	714 227 0398	xmzhou_00@yahoo.com



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting
 Wednesday, January 28, 2015, 5:00 - 8:00 PM
 Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Roy Shahbazian	OCTA CAC	655 S Main St #141 Orange 92868	714 744 4534	rs@bettercommute.org
~~REDACTED~~				
Phil Luong	Group Delta	32 MAUCHLY #B IRVINE, CA 92618	949-456-2100	PHILL@GROUPDELTA.COM
JEFF THOMPSON	RESIDENT of TUSTIN	415 W. 6 th ST TUSTIN	714-231-6270	jeffcherie@integrity.com
MIKE HONDA	FPL & ASSOC.		949-252-	mike.honda@fplandassociates
Tim Tran	Home owner	17284 MISSOW RD #B	714 200 7602	timmyjen@yahoo.com
Kimberly Laundagin	business manage	1142 El Camino Real Tustin, CA 92780	714 544-4440	Kim@tustana.com
Alexys Area	Tustin USD – Cume Middle School	11408 Sycamore TUSTIN, CA 92780	714-730-7300	aarea@tustin-k12.ca.us



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
BERNIECE SARTHOU		18 VIA MEDIA TUSTIN		
DianaValdillez		1110 Walter Ave, TUSTIN		
Wayne Brown		11715 Goetting Ave, Tustin, CA	714 321 5250	waynebrown828@gmail.com
Scott Shelley	Catrans			scott.shelley@dot.ca.gov
JIM CUNNEEN	GROUP DELTA	32 Mauchly B Irvine CA 92618	(49) 450-2100 X203	jimc@groupdelta.com
Jayne Lindstrom		1291 Walden Lane Tustin	714 317-0972	
Vic Bellaschi				
Ed & Margie Dope		14 Via Del Sud Tustin, CA 92780	(714) 669-0162	



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Jim Ryan		1431 Jussam Pl Dr 92833		
Debra Liza		1881 M. TRILLANE #57 92780		
Craig Reelm	City of Irvine			
John Helegans		2342 CAIKEN TREE DR TUSTIN 92780		
David Kennedy	Resident	111 Spanish Lane, Irvine 92620	949-679-1896	dodcennedy@aol.com
Sue Robishaw		14902 Featherhill Rd. 92780	714-731-4590	Suerobishaw ⁷⁸ @gmail.com
Silvia Cabrera		674 W. Main St #B	714 574-1853	
WILLIE G. LIVINGSTON	CITY OF TUSTIN	682 W. MAIN ST C	714-731-1396	N/A



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
MARTIN ALBA		1451 NISSON RD APT. H TUSTIN, CA 92780	714.360.7178	martin.alba67@gmail.com
Mike Varipapa	ct	Irvine	—	—
Niau BARRETT	OCTA	Orange	—	—
SGT. MATT AUGUST	IRVINE PD	ONE CIVIC CENTER PLAZA IRVINE, CA. 92606	(949) 724-7023	MAUGUST@CITYOFIRVINE.ORG
Lissa Moon	Lynn Capouya	17792 Mitchell So Ste 110 Irvine 92614	949 756 0150	lissa@lcapouya.com
Araceli Garcia		663 W 6th. St., Tustin, CA 92780	714 631-3792	
Pete Krarnstrom	Tustan Animal Hospital	1142 El Camino Real Tustin, CA 92780	(949) 244-3658	Dr Krarnstrom@gmail.com
Michael Evans	Self	2112 Shelterwood Rd, SA 92705	714-832-5124	



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Frank Armenta	TUSD	Tustin Unified School Dist	714-640-4187	Farnmenta@aatt.net
Angela & Rick Barker	Tustin Residents	13819 Apache Tustin 92782	714 731 3656	awbarker1@cox.net
LES CARD	North Tustin resident	1733 LA COLINA Dr. 92705		les.card@isa-assoc.com
Susan Taylor	Resident	40 Quartz Lane Ladera, CA 92694	949-456-3058	susansocal@icloud.com



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Russek Simon + Kathy	Resident + worker	14491 Cherrywood Ln Tustin 92780		
Jeff Smith	Commuter	23986 Piraguna LN, CA 92657	(949) 702-4853	jeffsmith39@gmail
TERRENCE SHERY	RESIDENT	14051 CHARLONA DR TUSTIN CA 92780		TERSHERY@YAHOO.COM



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Business Card Sign-in Sheet

 KERI DIONIZIO Assistant Project Manager 8001 Irvine Center Drive ■ Suite 1460 ■ Irvine, California 92618 T 949 955 4328 ■ C 949 430 2429 ■ KDionizio@LoweEnterprises.com	 IRVINE SEATTLE HOUSTON SACRAMENTO SAN FRANCISCO DENVER LOS ANGELES WASHINGTON, DC	Chris Cooper Business Development Manager chris.cooper@apsicm.com 949.293.5455 c 8885 Research Drive, Irvine, CA 92618 949.679.0202 p • 949.679.0212 f	 FPL and Associates, Inc. 10 Corporate Park, Suite 310 Irvine, CA 92606 Fong-Ping Lee, Ph.D., P.E., T.E. President Tel: (949) 252-1688 Fax: (949) 252-0088 E-Mail: fpLee@fplandassociates.com Web Site: www.fplandassociates.com Consulting Engineers • Traffic • Transportation • Civil • Facility
 Office of TODD SPITZER Supervisor, Third District CARRIE O'MALLEY Senior Policy Advisor Orange County Board of Supervisors 333 W. Santa Ana Blvd. Santa Ana, California 92701 bos.ocgov.com/third Office: 714-834-3330 Fax: 714-834-2786 Carrie.Omalley@ocgov.com	YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE	
YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE	YOUR BUSINESS CARD HERE	

[illegible]



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	EMail Correo Electrónico
Russek Simon & Kathy	Resident & worker	14491 Cherrywood Ln Tustin 92780		
Jeff Smith	Commuter	23986 Piraguan LN, CA 92657	(949) 702-4853	jeffsmith39@gmail
TERRENCE SHERY	RESIDENT	14051 CHARLONA DR TUSTIN CA 92780		TERSHERY@YAHOO.COM



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Frank Armenta	TUSD	Tustin Unified School Dist	714-640-4187	Farnienta1@aatt.net
Angela & Rick Barker	Tustin Residents	13819 Apache Tustin 92782	714 731 3656	awbarker1@cox.net
LES CARD	North Tustin resident	1733 LA COLINA Dr. 92705		les.card@lsa-assoc.com
Susan Taylor	Resident	40 Quartz Lane Ladera ⁹²⁶⁹⁴ CA	949-456-3058	susansocal@icloud.com



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
MARTIN ALBA		1451 NISSON RD APT. H TUSTIN, CA 92780	714.360.7178	martin_alba67@gmail.com
Mike Varipapa	et	Irvine	—	—
Nia Barrett SGT. MATT AUGUST	OCTA IRVINE PD	Orange ONE CIVIC CENTER PLAZA IRVINE, CA 92606	— (949) 724-7023	— MAUGUST@CITYOFIRVINE.ORG
Lissa Moon	Lynn Capouya	17792 Mitchell So Ste 110 Irvine 92614	949 756 0150	lissa@lcapouya.com
Araceli Garcia		663 W 6th St, Tustin, CA 92780	714 631.3792	
Pete Kvarnstrom	Tustan General Hospital	1142 El Camino Real Tustin, CA 92780	(949) 244-3658	Dr Kvarnstrom@gmail.com
Michael Evans	Self	2112 Shelterwood Rd, SA 92705	714-832-5124	



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Jim Riley		1431 Jussom PK Dr 92833		
Debra Liza		1881 M. TRUILL AVE, #57 92780		
Craig Reelm	City of Irvine			
John McGraw		2342 CAKEWOOD TREE DR TUSTIN 92780		
David Kennedy	Resident	111 Spanish Lane, Irvine 92620	949-679-1896	dodcennedy@aol.com
Sue Robishaw		14902 Featherhill Rd. 92780	714-731-4590	SueRobishaw ⁷⁸ @gmail.com
Silvia Cabrera		674 W. Main St #B	714 574-1853	
Willie G. Livingston	CITY OF TUSTIN	682 W. MAIN ST C	714-731-1396	N/A



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
BERNIECE SARTHOU		19 VIA MEDIA TUSTIN		
DianaValdillez		1110 Walter Ave, TUSTIN		
Wayne Brown		11715 Goetting Ave, TUSTIN, CA	714 321 5250	waynebrown828@gmail.com
Scott Shelley	Catrans			scott.shelley@dot.ca.gov
JIM CUNNEEN	GROUP DELTA	32 Mauchly B Irvine CA 92618	(49) 457-2100 x703	junc@groupdelta.com
Jayne Lindstrom		1291 Walden Lane Tustin	714 317-0972	
Vic Bellaschi				
Ed & Margie Doyle		14 Via Del Sud Tustin, CA 92780	(714) 669-0162	



I-5 Improvement Project From I-405 to SR-55

Public Information Meeting

Wednesday, January 28, 2015, 5:00 - 8:00 PM

Tustin High School – Cafeteria

Sign-in Sheet

Name Nombre	Affiliation Afilación	Address Dirección	Phone Number / Cell Number Número de Teléfono y Cellular	E-Mail Correo Electrónico
Roy Shahbazian	OCTA CAC	655 S Main St #141 Orange 92868	714 744 4534	rs@bettercommute.org
Rebecca				
Phil Lumb	Group Delta	32 Mauchly #B Irvine, CA 92618	949-456-2100	PHILL@GroupDELTA.com
JEFF THOMPSON	RESIDENT of TUSTIN	415 W. 6 th ST TUSTIN	714-231-6270	jeffcherie@integrity.com
MIKE HONDA	FPL & Assoc.		949-252-	mike.honda@fplandassociates
Tim Tran	Home owner	17281 Mission Rd #B	714 200 7602	timmyjen@yahoo.com
Kimberly Lowndaym	business manage	1142 El Camino Real Tustin, CA 92780	714 544-4440	Kim@tustina.com
Alexys Area.	Tustin USD – Cume Middle School	1408 Sylamore Tustin, CA 92780	714-730-7360	aarea@tustin-k-12.ca.us

[illegible]

This page intentionally left blank



LSA ASSOCIATES, INC.
20 EXECUTIVE PARK, SUITE 200
IRVINE, CALIFORNIA 92614

949.553.0666 TEL
949.553.8076 FAX

BERKELEY
CARLSBAD

FRESNO
PALM SPRINGS
PT. RICHMOND

RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

November 1, 2016

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst
Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691

Subject: Section 106 Consultation and Sacred Lands File Search Request for the I-5 PA/ED
Project (I-405 to SR-55), Orange County, California

Dear Mr. Totton:

Attached please find a map showing the location of the I-5 PA/ED Project in Orange County. Specifically, project is situated in the following Townships (T), Ranges (R), and Sections (S) of the *Tustin, California*, and *El Toro, California*, USGS topographic quadrangle maps as identified below:

T: 05 S; R: 09 W; S: 15, *Tustin*

T: 05 S; R: 09 W; S: 16, *Tustin*

T: 05 S; R: 09 W; S: 17, *Tustin*

T: 05 S; R: 09 W; S: 23, *Tustin*

T: 05 S; R: 09 W; S: 22, *Tustin*

T: 05 S; R: 09 W; S: 21, *Tustin*

T: 05 S; R: 09 W; S: 25, *Tustin*

T: 05 S; R: 09 W; S: 26, *Tustin*

T: 05 S; R: 09 W; S: 27, *Tustin*

T: 05 S; R: 09 W; S: 36, *Tustin*

T: 05 S; R: 09 W; S: 35, *Tustin*

T: 06 S; R: 09 W; S: 01, *Tustin*

T: 06 S; R: 08 W; S: 06, *Tustin and El Toro*

T: 06 S; R: 08 W; S: 08, *El Toro*

T: 06 S; R: 08 W; S: 07, *El Toro*

T: 06 S; R: 08 W; S: 17, *El Toro*

T: 06 S; R: 08 W; S: 18, *El Toro*

LSA is assisting the California Department of Transportation (Caltrans) in preparing the cultural resources assessment for the project. Per Section 106 of the National Historic Preservation Act, please notify us of any Native American cultural resources that might be impacted, and include a list of potential Native Americans that may be contacted for Section 106 Native American consultation.

Thank you very much for your assistance. If you have any questions or comments, please contact me at 949-337-5454, or you may email me at terri.fulton@lsa-assoc.com.

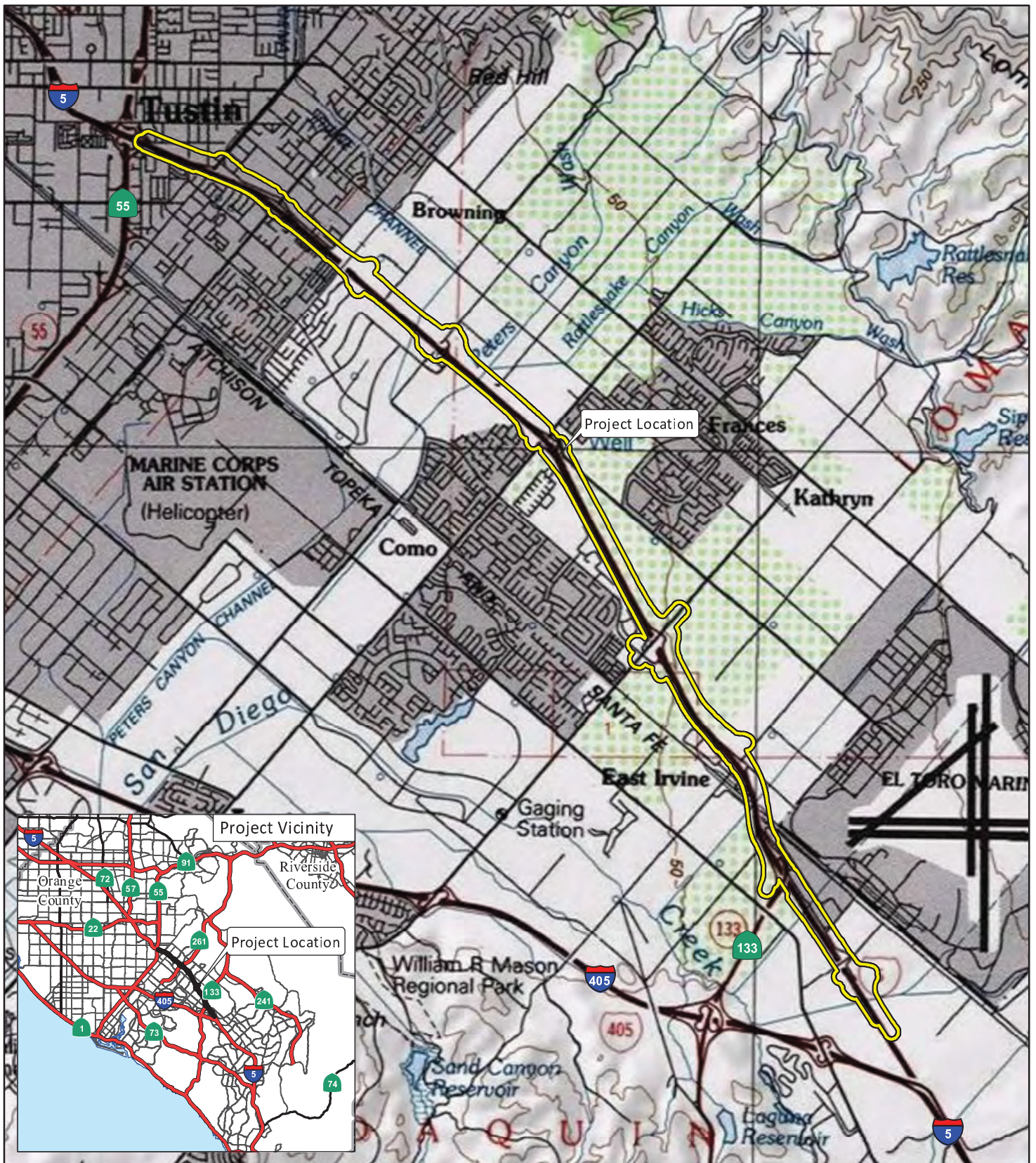
Best Regards,

LSA ASSOCIATES, INC



Terri Fulton
Associate/Archaeologist
Native American Tribal Liaison

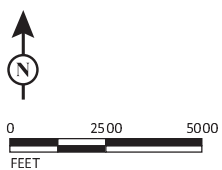
Attachments: USGS map



LEGEND

 Approximate Project Footprint

FIGURE 1



SOURCE: USGS 7.5' Quad - Tustin (1981) and El Toro (1982)
I:\URS1402\GIS\ProjectLocation_USGS.mxd (10/31/2016)

I-5 PA/ED Project (I-405 to SR-55)

Project Location
12-ORA-5 PM 21.3/30.3
EA No. OK670K

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
Fax (916) 373-5471



November 8, 2016

Terri Fulton
LSA Associates, Inc.

Sent by E-mail: terri.fulton@lsa-assoc.com

RE: Proposed I-5 PA/ED Project (I-405 to SR-55), between the City of Tustin and the City of El Toro; Tustin and El Toro USGS Quadrangles, Orange County, California

Dear Ms. Fulton:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC 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 individuals or groups, 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 via email: gayle.totton@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gayle Totton".

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

Native American Heritage Commission
Native American Contact List
Orange County
11/9/2016

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
gabrielenoindians@yahoo.com
Gabrielino

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626) 286-1262
GTTribalcouncil@aol.com
Gabrielino

Gabrielino/Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951) 807-0479
sgoad@gabrielino-tongva.com
Gabrielino

**Gabrielino Tongva Indians of
California Tribal Council**

Robert F. Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562) 761-6417
Fax: (562) 761-6417
gtongva@verizon.net
Gabrielino

Gabrielino-Tongva Tribe

Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite 1100
Los Angeles, CA, 90067
Phone: (626) 676 - 1184
Gabrielino

**Juaneno Band of Mission
Indians**

Sonia Johnston, Chairperson
P.O. Box 25628
Santa Ana, CA, 92799
sonia.johnston@sbcglobal.net
Juaneno

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Matias Belardes, Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA, 92675
Phone: (949) 293-8522
Juaneno

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Joyce Perry, Tribal Manager
4955 Paseo Segovia
Irvine, CA, 92603
Phone: (949) 293 - 8522
kaamalam@gmail.com
Juaneno

**Juaneno Band of Mission
Indians Acjachemen Nation -
Romero**

Teresa Romero, Chairperson
31411-A La Matanza Street
San Juan Capistrano, CA, 92675
Phone: (949) 488-3484
Fax: (949) 488-3294
tromero@juaneno.com
Juaneno

This list is current only as of the date of this document. 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 Americans with regard to cultural resources assessment for the proposed I-5 PA/ED Project (I-405 to SR-55), Orange County.



BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

November 22, 2016

Gabreileño Band of Mission Indians – Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393
Covina, CA 91723

Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5
PA/ED Project (Interstate 405 to State Route 55), County of Orange, California

Dear Mr. Salas:

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), proposes improvements on Interstate 5 (I-5) between Interstate 405 (I-405) and State Route 55 (SR-55) in the Cities of Irvine and Tustin in Orange County. The project proposes to widen I-5 in both directions to add one general-purpose lane, along with associated improvements to local street interchanges and freeway-to-freeway interchanges at State Route 261 (SR-261) and State Route 133 (SR-133), along with the addition of auxiliary lanes. The purpose of the proposed project is to address existing and future traffic demand on I-5 from I-405 to SR-55. The project will address congestion and enhance freeway operations as follows:

- Increase the mainline capacity within the project limits along the I-5 corridor
- Improve the capacity of the ramps within the project limits along the I-5 corridor
- Improve operational deficiencies within the project limits along the I-5 corridor, and
- Optimize access of the existing High-Occupancy Vehicle (HOV) lane.

The project location is shown on Figure 1 (attached). Because all cultural resource efforts will be completed in compliance with Section 106 of the National Historic Preservation Act (Section 106), you are being contacted per the Native American consultation guidelines of Section 106.

As part of the cultural resources studies, a records search for the project area is currently being completed at the South Central Coastal Information Center of the California Historical Resources Information System at California State University, Fullerton. A Sacred Lands File search was also requested from the Native American Heritage Commission (NAHC); it was negative for each project area.

If you know of any cultural resources of religious and/or cultural significance to your community that may be affected, or if you would like more information, please contact me at 949-337-5454 or at terri.fulton@lsa.net. If I do not receive a response from you, I will contact you again in the near future to discuss any comments or concerns you may have. Also, please feel free to forward this to others in your group whom you believe may have information that would be helpful in identifying cultural resources that could be affected by either project.



Thank you for your involvement in this process. Your comments are important, and I look forward to hearing from you.

Respectfully,

LSA ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "T. Fulton", with a long horizontal flourish extending to the right.

Terri Fulton
Associate/Archaeologist
Native American Tribal Liaison

Attachment: Figure 1 – Project Location

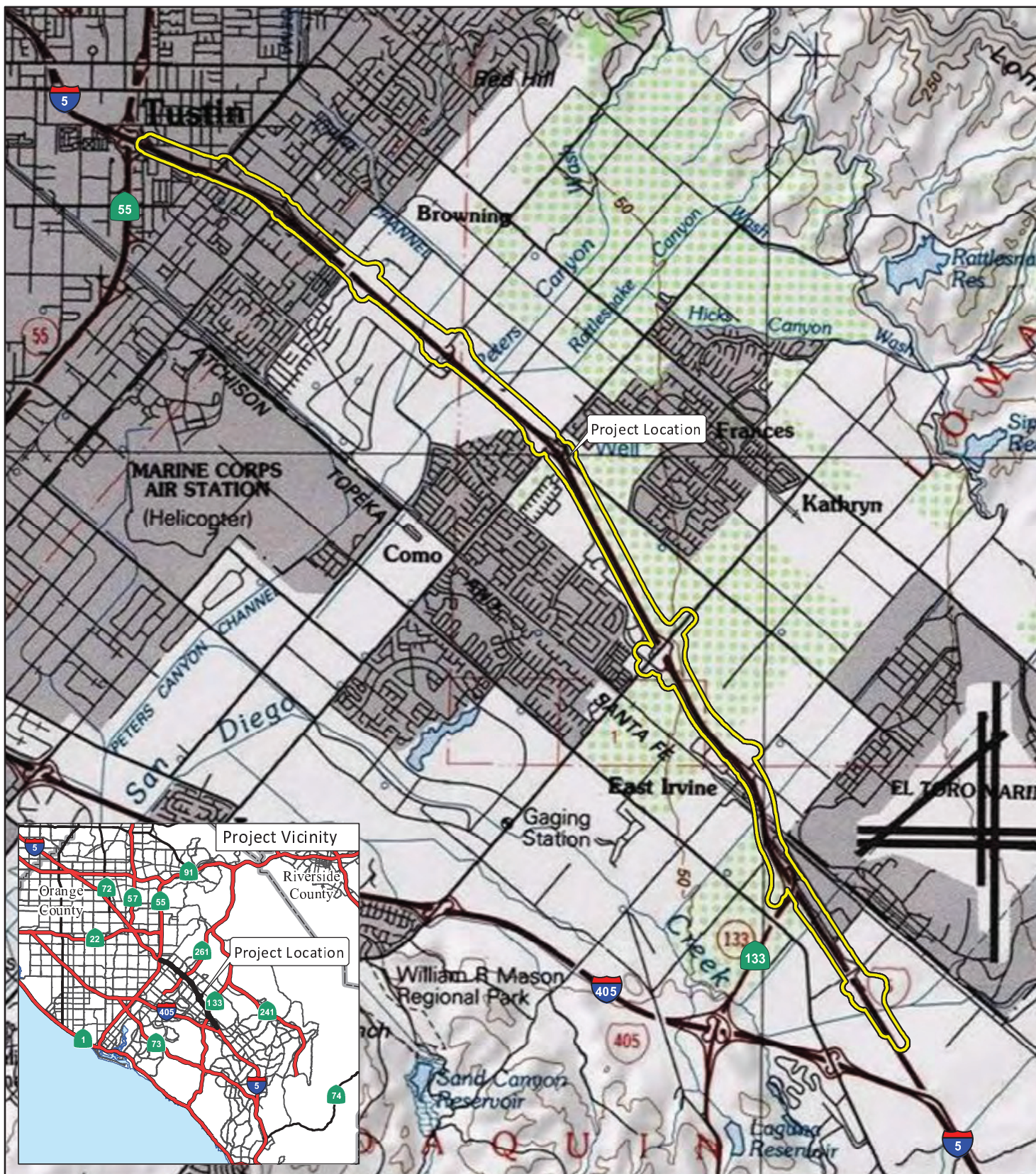
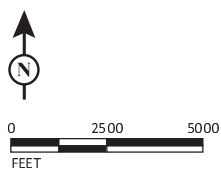


FIGURE 1

LEGEND

 Approximate Project Footprint



SOURCE: USGS 7.5' Quad - Tustin (1981) and El Toro (1982)
I:\URS1402\GIS\ProjectLocation_USGS.mxd (10/31/2016)

I-5 PA/ED Project (I-405 to SR-55)

Project Location
12-ORA-5 PM 21.3/30.3
EA No. OK670K

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:06 PM

Mark as unread

To: gabrielenoindians@yahoo.com;

Cc: Kerrie Absher;

📎 1 attachment



NA
letter_A~.pdf

Hi Andy - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:41 AM

To: gabrielenoindians@yahoo.com

Cc: Kerrie Absher

Subject: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Andy,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri



GABRIELENO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians

Recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Dear Terri Fulton
Associate/Archaeologist

Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5 PA/ED Project (Interstate 405 to State Route 55), County of Orange, California

"The project locale lies in an area where the Ancestral & traditional territories of the Kizh(Kitc) Gabrieleno villages, adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh (Kitc) Gabrielenos , probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits, often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources. Therefore, in order to protect our resources we're requesting one of our experienced & certified Native American monitor as well as a Archeo- Monitor to be on site during any & all ground disturbances (this includes but is not limited to pavement removal, pot-holing, or grubbing, auguring, boring, grading, excavation and trenching).

In all cases, when the NAHC states there are "No" records of sacred sites" in the subject area; they always refer the contractors back to the Native American Tribes whose tribal territory the project area is in. This is due to the fact, that the NAHC is only aware of general information on each California NA Tribe they are "NOT" the "experts" on our Tribe. Our Elder Committee & Tribal Historians are the experts and is the reason why the NAHC will always refer contractors to the local tribes.

In addition, we are also often told that an area has been previously developed or disturbed and thus there are no concerns for cultural resources and thus minimal impacts would be expected. I have two major recent examples of how similar statements on other projects were proven very inadequate. An archaeological study claimed there would be no impacts to an area adjacent to the Plaza Church at Olvera Street, the original Spanish settlement of Los Angeles, now in downtown Los Angeles. In fact, this site was the Gabrieleno village of Yangna long before it became what it is now today. The new development wrongfully began their construction and they, in the process, dug up and desecrated 118 burials. The area that was dismissed as culturally sensitive was in fact the First Cemetery of Los Angeles where it had been well documented at the Huntington Library that 400 of our Tribe's ancestors were buried there along with the founding families of Los Angeles (Pico's, Sepulveda's, and Alvarado's to name a few). In addition, there was another inappropriate study for the development of a new sports complex at Fedde Middle School in the City of Hawaiian Gardens could commence. Again, a village and burial site were desecrated despite their mitigation measures. Thankfully, we were able to work alongside the school district to quickly and respectfully mitigate a mutually beneficial resolution.

Given all the above, the proper thing to do for your project would be for our Tribe to monitor ground disturbing construction work. Native American monitors and/or consultant can see that cultural resources are treated appropriately from the Native American point of view. Because we are the lineal descendants of the vast area of Los Angeles and Orange Counties, we hold sacred the ability to protect what little of our culture remains. We thank you for taking seriously your role and responsibility in assisting us in preserving our culture.

With respect,

Please contact our office regarding this project to coordinate a Native American Monitor to be present. Thank You

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

Addendum: clarification regarding some confusions regarding consultation under AB52:

AB52 clearly states that consultation must occur with tribes that claim traditional and cultural affiliation with a project site. Unfortunately, this statement has been left open to interpretation so much that neighboring tribes are claiming affiliation with projects well outside their traditional tribal territory. The territories of our surrounding Native American tribes such as the Luiseno, Chumash, and Cahuilla tribal entities. Each of our tribal territories has been well defined by historians, ethnographers, archaeologists, and ethnographers – a list of resources we can provide upon request. Often, each Tribe as well educates the public on their very own website as to the definition of their tribal boundaries. You may have received a consultation request from another Tribe. However we are responding because your project site lies within our Ancestral tribal territory, which, again, has been well documented. What does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. . If you have questions regarding the validity of the “traditional and cultural affiliation” of another Tribe, we urge you to contact the Native American Heritage Commission directly. Section 5 section 21080.3.1 (c) states “...the Native American Heritage Commission shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated with the project area.” In addition, *please see the map below*.

CC: NAHC

APPENDIX 1: Map 1-2; Bean and Smith 1978 map.

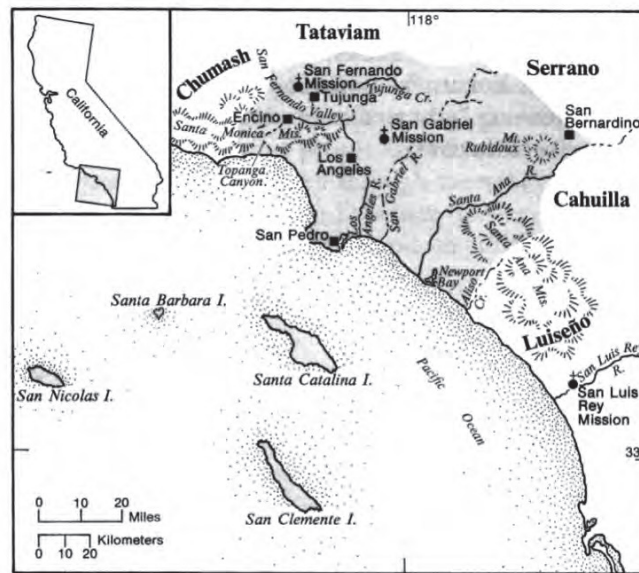


Fig. 1. Tribal territory.

The United States National Museum's Map of Gabrielino Territory:

Bean, Lowell John and Charles R. Smith
1978 Gabrielino IN *Handbook of North American Indians, California*, Vol. 8, edited by R.F. Heizer, Smithsonian Institution Press, Washington, D.C., pp. 538-549

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✕ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:05 PM

Mark as unread

To: GTTribalcouncil@aol.com;

📎 1 attachment



NA
letter_A~.pdf

Hi Anthony - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:50 AM

To: GTTribalcouncil@aol.com

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Anthony,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✕ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:04 PM

Mark as unread

To: sgoad@gabrielino-tongva.com;

📎 1 attachment



NA
letter_S~.pdf

Hello - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:54 AM

To: sgoad@gabrielino-tongva.com

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Ms. Goad,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:02 PM

Mark as unread

To: gtongva@verizon.net;

Cc: Kerrie Absher;

📎 1 attachment

NA
letter_R~.pdf

Hi Robert - I just wanted to check in with you one more time regarding this project. Thank you!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 9:03 AM

To: gtongva@verizon.net

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Robert,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:04 PM

Mark as unread

To: sonia.johnston@sbcglobal.net;

Cc: Kerrie Absher;

📎 1 attachment

NA
letter_S~.pdf

Hi Sonia - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:59 AM

To: sonia.johnston@sbcglobal.net

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Sonia,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri



LSA ASSOCIATES, INC.
20 EXECUTIVE PARK, SUITE 200
IRVINE, CALIFORNIA 92614

949.553.0666 TEL
949.553.8076 FAX

BERKELEY
CARLSBAD

FRESNO
PALM SPRINGS
PT. RICHMOND

RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

November 1, 2016

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst
Native American Heritage Commission
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691

Subject: Section 106 Consultation and Sacred Lands File Search Request for the I-5 PA/ED
Project (I-405 to SR-55), Orange County, California

Dear Mr. Totton:

Attached please find a map showing the location of the I-5 PA/ED Project in Orange County. Specifically, project is situated in the following Townships (T), Ranges (R), and Sections (S) of the *Tustin, California*, and *El Toro, California*, USGS topographic quadrangle maps as identified below:

T: 05 S; R: 09 W; S: 15, *Tustin*

T: 05 S; R: 09 W; S: 16, *Tustin*

T: 05 S; R: 09 W; S: 17, *Tustin*

T: 05 S; R: 09 W; S: 23, *Tustin*

T: 05 S; R: 09 W; S: 22, *Tustin*

T: 05 S; R: 09 W; S: 21, *Tustin*

T: 05 S; R: 09 W; S: 25, *Tustin*

T: 05 S; R: 09 W; S: 26, *Tustin*

T: 05 S; R: 09 W; S: 27, *Tustin*

T: 05 S; R: 09 W; S: 36, *Tustin*

T: 05 S; R: 09 W; S: 35, *Tustin*

T: 06 S; R: 09 W; S: 01, *Tustin*

T: 06 S; R: 08 W; S: 06, *Tustin and El Toro*

T: 06 S; R: 08 W; S: 08, *El Toro*

T: 06 S; R: 08 W; S: 07, *El Toro*

T: 06 S; R: 08 W; S: 17, *El Toro*

T: 06 S; R: 08 W; S: 18, *El Toro*

LSA is assisting the California Department of Transportation (Caltrans) in preparing the cultural resources assessment for the project. Per Section 106 of the National Historic Preservation Act, please notify us of any Native American cultural resources that might be impacted, and include a list of potential Native Americans that may be contacted for Section 106 Native American consultation.

Thank you very much for your assistance. If you have any questions or comments, please contact me at 949-337-5454, or you may email me at terri.fulton@lsa-assoc.com.

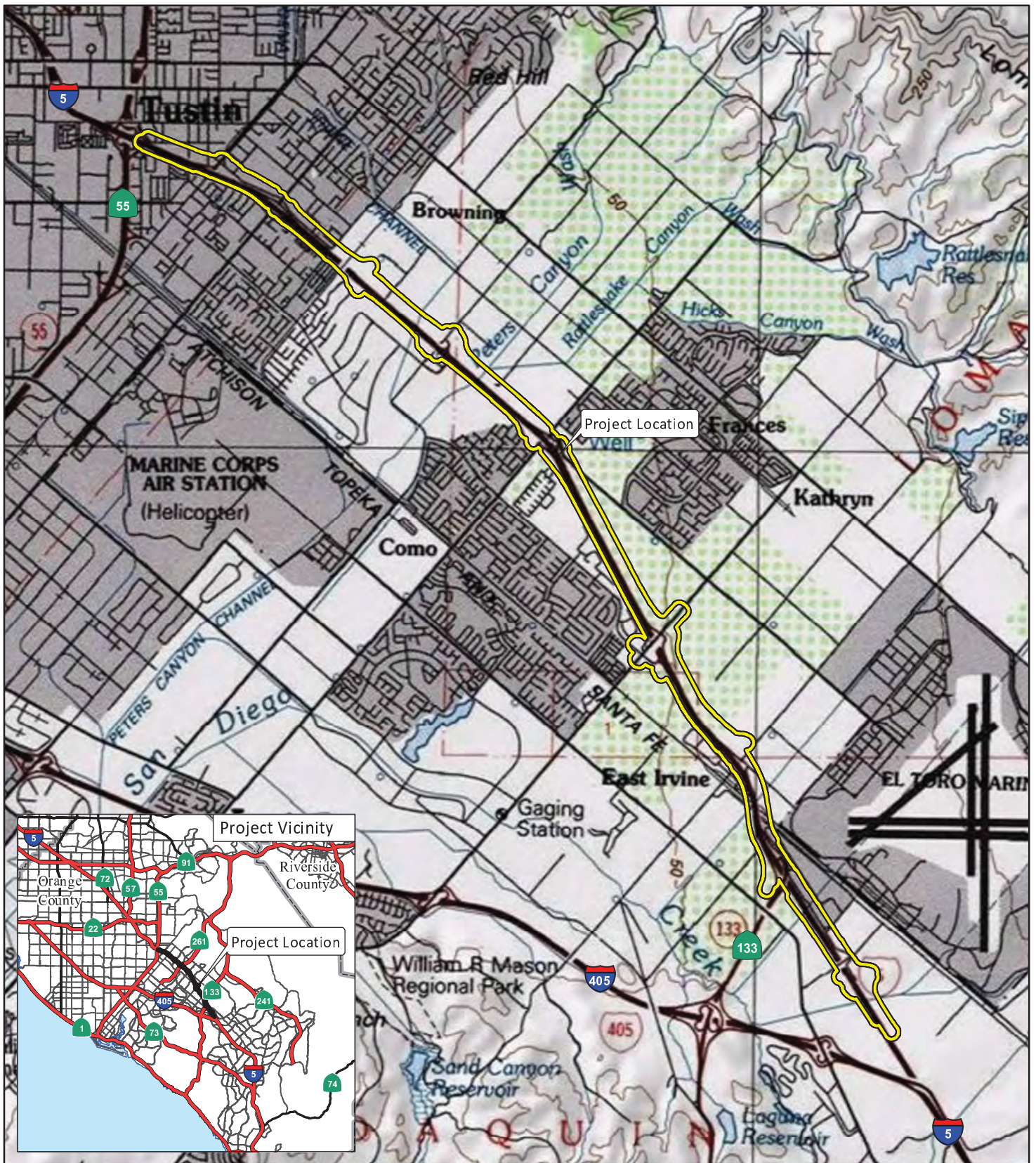
Best Regards,

LSA ASSOCIATES, INC



Terri Fulton
Associate/Archaeologist
Native American Tribal Liaison

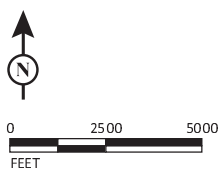
Attachments: USGS map



LEGEND

 Approximate Project Footprint

FIGURE 1



SOURCE: USGS 7.5' Quad - Tustin (1981) and El Toro (1982)
I:\URS1402\GIS\ProjectLocation_USGS.mxd (10/31/2016)

I-5 PA/ED Project (I-405 to SR-55)

Project Location
12-ORA-5 PM 21.3/30.3
EA No. OK670K

NATIVE AMERICAN HERITAGE COMMISSION

1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
(916) 373-3710
Fax (916) 373-5471



November 8, 2016

Terri Fulton
LSA Associates, Inc.

Sent by E-mail: terri.fulton@lsa-assoc.com

RE: Proposed I-5 PA/ED Project (I-405 to SR-55), between the City of Tustin and the City of El Toro; Tustin and El Toro USGS Quadrangles, Orange County, California

Dear Ms. Fulton:

A record search of the Native American Heritage Commission (NAHC) *Sacred Lands File* was completed for the area of potential project effect (APE) referenced above with negative results. Please note that the absence of specific site information in the *Sacred Lands File* does not indicate the absence of Native American cultural resources in any APE.

Attached is a list of tribes culturally affiliated to the project area. I suggest you contact all of the listed Tribes. If they cannot supply information, they might recommend others with specific knowledge. The list should provide a starting place to locate areas of potential adverse impact within the APE. By contacting all those on the list, your organization will be better able to respond to claims of failure to consult. If a response has not been received within two weeks of notification, the NAHC 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 individuals or groups, 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 via email: gayle.totton@nahc.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gayle Totton".

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

Native American Heritage Commission
Native American Contact List
Orange County
11/9/2016

**Gabrieleno Band of Mission
Indians - Kizh Nation**

Andrew Salas, Chairperson
P.O. Box 393
Covina, CA, 91723
Phone: (626) 926 - 4131
gabrielenoindians@yahoo.com

Gabrielino

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Matias Belardes, Chairperson
32161 Avenida Los Amigos
San Juan Capistrano, CA, 92675
Phone: (949)293-8522

Juaneno

**Gabrieleno/Tongva San Gabriel
Band of Mission Indians**

Anthony Morales, Chairperson
P.O. Box 693
San Gabriel, CA, 91778
Phone: (626) 483 - 3564
Fax: (626)286-1262
GTTribalcouncil@aol.com

Gabrielino

**Juaneno Band of Mission
Indians Acjachemen Nation -
Belardes**

Joyce Perry, Tribal Manager
4955 Paseo Segovia
Irvine, CA, 92603
Phone: (949) 293 - 8522
kaamalam@gmail.com

Juaneno

Gabrielino/Tongva Nation

Sandonne Goad, Chairperson
106 1/2 Judge John Aiso St.,
#231
Los Angeles, CA, 90012
Phone: (951)807-0479
sgoad@gabrielino-tongva.com

Gabrielino

**Juaneno Band of Mission
Indians Acjachemen Nation -
Romero**

Teresa Romero, Chairperson
31411-A La Matanza Street
San Juan Capistrano, CA, 92675
Phone: (949)488-3484
Fax: (949)488-3294
tromero@juaneno.com

Juaneno

**Gabrielino Tongva Indians of
California Tribal Council**

Robert F. Dorame, Chairperson
P.O. Box 490
Bellflower, CA, 90707
Phone: (562)761-6417
Fax: (562)761-6417
gtongva@verizon.net

Gabrielino

Gabrielino-Tongva Tribe

Linda Candelaria, Co-Chairperson
1999 Avenue of the Stars, Suite
1100
Los Angeles, CA, 90067
Phone: (626) 676 - 1184

Gabrielino

**Juaneno Band of Mission
Indians**

Sonia Johnston, Chairperson
P.O. Box 25628
Santa Ana, CA, 92799
sonia.johnston@sbcglobal.net

Juaneno

This list is current only as of the date of this document. 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 Americans with regard to cultural resources assessment for the proposed I-5 PA/ED Project (I-405 to SR-55), Orange County.



BERKELEY
CARLSBAD
FRESNO
IRVINE
PALM SPRINGS
POINT RICHMOND
RIVERSIDE
ROCKLIN
SAN LUIS OBISPO

November 22, 2016

Gabreileño Band of Mission Indians – Kizh Nation
Andrew Salas, Chairperson
P.O. Box 393
Covina, CA 91723

Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5
PA/ED Project (Interstate 405 to State Route 55), County of Orange, California

Dear Mr. Salas:

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), proposes improvements on Interstate 5 (I-5) between Interstate 405 (I-405) and State Route 55 (SR-55) in the Cities of Irvine and Tustin in Orange County. The project proposes to widen I-5 in both directions to add one general-purpose lane, along with associated improvements to local street interchanges and freeway-to-freeway interchanges at State Route 261 (SR-261) and State Route 133 (SR-133), along with the addition of auxiliary lanes. The purpose of the proposed project is to address existing and future traffic demand on I-5 from I-405 to SR-55. The project will address congestion and enhance freeway operations as follows:

- Increase the mainline capacity within the project limits along the I-5 corridor
- Improve the capacity of the ramps within the project limits along the I-5 corridor
- Improve operational deficiencies within the project limits along the I-5 corridor, and
- Optimize access of the existing High-Occupancy Vehicle (HOV) lane.

The project location is shown on Figure 1 (attached). Because all cultural resource efforts will be completed in compliance with Section 106 of the National Historic Preservation Act (Section 106), you are being contacted per the Native American consultation guidelines of Section 106.

As part of the cultural resources studies, a records search for the project area is currently being completed at the South Central Coastal Information Center of the California Historical Resources Information System at California State University, Fullerton. A Sacred Lands File search was also requested from the Native American Heritage Commission (NAHC); it was negative for each project area.

If you know of any cultural resources of religious and/or cultural significance to your community that may be affected, or if you would like more information, please contact me at 949-337-5454 or at terri.fulton@lsa.net. If I do not receive a response from you, I will contact you again in the near future to discuss any comments or concerns you may have. Also, please feel free to forward this to others in your group whom you believe may have information that would be helpful in identifying cultural resources that could be affected by either project.



Thank you for your involvement in this process. Your comments are important, and I look forward to hearing from you.

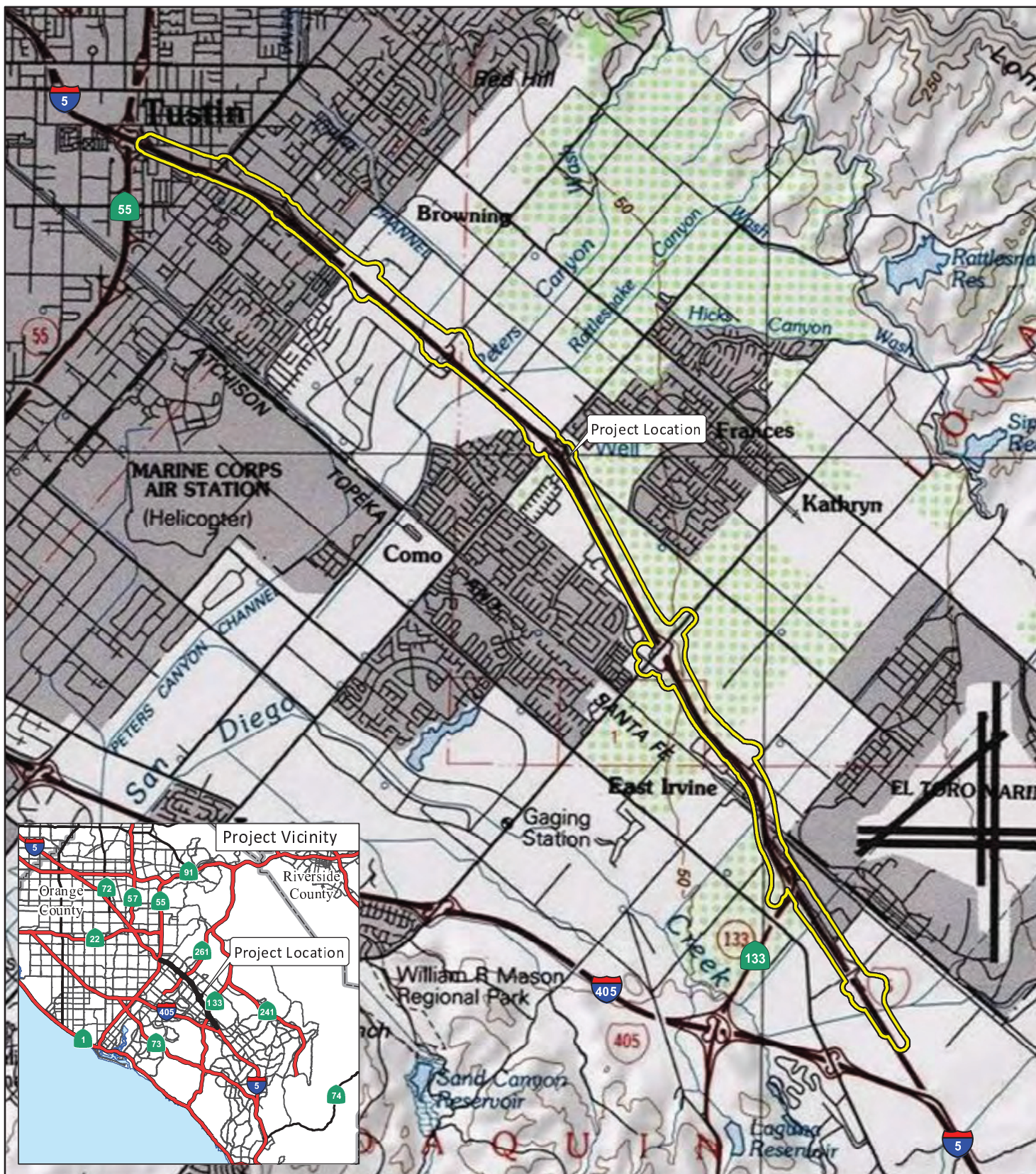
Respectfully,

LSA ASSOCIATES, INC.

A handwritten signature in blue ink, appearing to read "T. Fulton", with a long horizontal flourish extending to the right.

Terri Fulton
Associate/Archaeologist
Native American Tribal Liaison

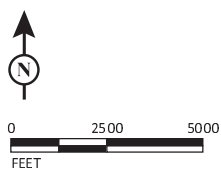
Attachment: Figure 1 – Project Location



LEGEND

 Approximate Project Footprint

FIGURE 1



SOURCE: USGS 7.5' Quad - Tustin (1981) and El Toro (1982)
I:\URS1402\GIS\ProjectLocation_USGS.mxd (10/31/2016)

I-5 PA/ED Project (I-405 to SR-55)

Project Location
12-ORA-5 PM 21.3/30.3
EA No. OK670K

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:06 PM

Mark as unread

To: gabrielenoindians@yahoo.com;

Cc: Kerrie Absher;

📎 1 attachment



NA
letter_A~.pdf

Hi Andy - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:41 AM

To: gabrielenoindians@yahoo.com

Cc: Kerrie Absher

Subject: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Andy,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri



GABRIELENO BAND OF MISSION INDIANS - KIZH NATION

Historically known as The San Gabriel Band of Mission Indians

Recognized by the State of California as the aboriginal tribe of the Los Angeles basin

Dear Terri Fulton
Associate/Archaeologist

Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5 PA/ED Project (Interstate 405 to State Route 55), County of Orange, California

"The project locale lies in an area where the Ancestral & traditional territories of the Kizh(Kitc) Gabrieleno villages, adjoined and overlapped with each other, at least during the Late Prehistoric and Protohistoric Periods. The homeland of the Kizh (Kitc) Gabrielenos , probably the most influential Native American group in aboriginal southern California (Bean and Smith 1978a:538), was centered in the Los Angeles Basin, and reached as far east as the San Bernardino-Riverside area. The homeland of the Serranos was primarily the San Bernardino Mountains, including the slopes and lowlands on the north and south flanks. Whatever the linguistic affiliation, Native Americans in and around the project area exhibited similar organization and resource procurement strategies. Villages were based on clan or lineage groups. Their home/ base sites are marked by midden deposits, often with bedrock mortars. During their seasonal rounds to exploit plant resources, small groups would migrate within their traditional territory in search of specific plants and animals. Their gathering strategies often left behind signs of special use sites, usually grinding slicks on bedrock boulders, at the locations of the resources. Therefore, in order to protect our resources we're requesting one of our experienced & certified Native American monitor as well as a Archeo- Monitor to be on site during any & all ground disturbances (this includes but is not limited to pavement removal, pot-holing, or grubbing, auguring, boring, grading, excavation and trenching).

In all cases, when the NAHC states there are "No" records of sacred sites" in the subject area; they always refer the contractors back to the Native American Tribes whose tribal territory the project area is in. This is due to the fact, that the NAHC is only aware of general information on each California NA Tribe they are "NOT" the "experts" on our Tribe. Our Elder Committee & Tribal Historians are the experts and is the reason why the NAHC will always refer contractors to the local tribes.

In addition, we are also often told that an area has been previously developed or disturbed and thus there are no concerns for cultural resources and thus minimal impacts would be expected. I have two major recent examples of how similar statements on other projects were proven very inadequate. An archaeological study claimed there would be no impacts to an area adjacent to the Plaza Church at Olvera Street, the original Spanish settlement of Los Angeles, now in downtown Los Angeles. In fact, this site was the Gabrieleno village of Yangna long before it became what it is now today. The new development wrongfully began their construction and they, in the process, dug up and desecrated 118 burials. The area that was dismissed as culturally sensitive was in fact the First Cemetery of Los Angeles where it had been well documented at the Huntington Library that 400 of our Tribe's ancestors were buried there along with the founding families of Los Angeles (Pico's, Sepulveda's, and Alvarado's to name a few). In addition, there was another inappropriate study for the development of a new sports complex at Fedde Middle School in the City of Hawaiian Gardens could commence. Again, a village and burial site were desecrated despite their mitigation measures. Thankfully, we were able to work alongside the school district to quickly and respectfully mitigate a mutually beneficial resolution.

Given all the above, the proper thing to do for your project would be for our Tribe to monitor ground disturbing construction work. Native American monitors and/or consultant can see that cultural resources are treated appropriately from the Native American point of view. Because we are the lineal descendants of the vast area of Los Angeles and Orange Counties, we hold sacred the ability to protect what little of our culture remains. We thank you for taking seriously your role and responsibility in assisting us in preserving our culture.

With respect,

Please contact our office regarding this project to coordinate a Native American Monitor to be present. Thank You

Andrew Salas, Chairman
Albert Perez, treasurer I

Nadine Salas, Vice-Chairman
Martha Gonzalez Lemos, treasurer II

Christina Swindall Martinez, secretary
Richard Gradias, Chairman of the council of Elders

Addendum: clarification regarding some confusions regarding consultation under AB52:

AB52 clearly states that consultation must occur with tribes that claim traditional and cultural affiliation with a project site. Unfortunately, this statement has been left open to interpretation so much that neighboring tribes are claiming affiliation with projects well outside their traditional tribal territory. The territories of our surrounding Native American tribes such as the Luiseno, Chumash, and Cahuilla tribal entities. Each of our tribal territories has been well defined by historians, ethnographers, archaeologists, and ethnographers – a list of resources we can provide upon request. Often, each Tribe as well educates the public on their very own website as to the definition of their tribal boundaries. You may have received a consultation request from another Tribe. However we are responding because your project site lies within our Ancestral tribal territory, which, again, has been well documented. What does Ancestrally or Ancestral mean? The people who were in your family in past times, Of, belonging to, inherited from, or denoting an ancestor or ancestors <http://www.thefreedictionary.com/ancestral>. . If you have questions regarding the validity of the “traditional and cultural affiliation” of another Tribe, we urge you to contact the Native American Heritage Commission directly. Section 5 section 21080.3.1 (c) states “...the Native American Heritage Commission shall assist the lead agency in identifying the California Native American tribes that are traditionally and culturally affiliated with the project area.” In addition, **please see the map below.**

CC: NAHC

APPENDIX 1: Map 1-2; Bean and Smith 1978 map.

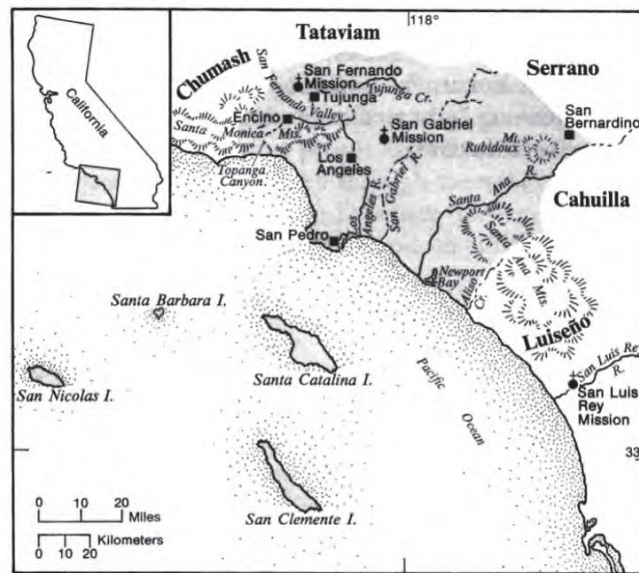


Fig. 1. Tribal territory.

The United States National Museum's Map of Gabrielino Territory:

Bean, Lowell John and Charles R. Smith
1978 Gabrielino IN *Handbook of North American Indians, California*, Vol. 8, edited by R.F. Heizer, Smithsonian Institution Press, Washington, D.C., pp. 538-549

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:05 PM

Mark as unread

To: GTTribalcouncil@aol.com;

📎 1 attachment



NA
letter_A~.pdf

Hi Anthony - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:50 AM

To: GTTribalcouncil@aol.com

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Anthony,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:04 PM

Mark as unread

To: sgoad@gabrielino-tongva.com;

📎 1 attachment

NA
letter_S~.pdf

Hello - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:54 AM

To: sgoad@gabrielino-tongva.com

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Ms. Goad,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:02 PM

Mark as unread

To: gtongva@verizon.net;

Cc: Kerrie Absher;

📎 1 attachment

NA
letter_R~.pdf

Hi Robert - I just wanted to check in with you one more time regarding this project. Thank you!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 9:03 AM

To: gtongva@verizon.net

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Robert,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

 DELETE  REPLY  REPLY ALL  FORWARD ...



Terri Fulton

Tue 12/13/2016 1:04 PM

Mark as unread

To: sonia.johnston@sbcglobal.net;

Cc: Kerrie Absher;

 1 attachment

NA
letter_S~.pdf

Hi Sonia - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 8:59 AM

To: sonia.johnston@sbcglobal.net

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Hi Sonia,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Re: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✕ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Joyce Perry <kaamalam@gmail.com>

Mon 12/12/2016 10:37 AM

Mark as unread

To: Terri Fulton;

You forwarded this message on 12/12/2016 3:35 PM.

Mii Terri,

We will wait to comment on this project until we receive CHRIS's information.

Joyce Stanfield Perry
Payomkawichum Kaamalam - President
Juaneño Band of Mission Indians, Acjachemen Nation
Tribal Manager, Cultural Resource Director

On Wed, Dec 7, 2016 at 9:00 AM, Terri Fulton <Terri.Fulton@lsa.net> wrote:

Hi Joyce,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Re: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✕ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Joyce Perry <kaamalam@gmail.com>

Mon 12/12/2016 10:37 AM

Mark as unread

To: Terri Fulton;

You forwarded this message on 12/12/2016 3:35 PM.

Mii Terri,

We will wait to comment on this project until we receive CHRIS's information.

Joyce Stanfield Perry
Payomkawichum Kaamalam - President
Juaneño Band of Mission Indians, Acjachemen Nation
Tribal Manager, Cultural Resource Director

On Wed, Dec 7, 2016 at 9:00 AM, Terri Fulton <Terri.Fulton@lsa.net> wrote:

Hi Joyce,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Re: Fw: I-5 (URS1402) - Record Search

 DELETE REPLY REPLY ALL FORWARD

...



Joyce Perry <kaamalam@gmail.com>

Thu 12/29/2016 11:29 AM

Mark as unread

To: Terri Fulton;**Cc:** Matias Belardes <matias.belardes@hotmail.com>;

You replied on 12/29/2016 12:10 PM.

Happy New Year Terri,

Thanks for the information. On behalf of the Juaneno Band of Mission Indians, Acjachemen Nation, we have no concerns at this time but would like to be notified should any inadvertent discoveries occur.

Thank you,

Joyce Stanfield Perry

Payomkawichum Kaamalam - President

Juaneño Band of Mission Indians, Acjachemen Nation

Tribal Manager, Cultural Resource Director

On Tue, Dec 27, 2016 at 9:22 AM, Terri Fulton <Terri.Fulton@lsa.net> wrote:

Good morning, Joyce,

Below is Ivan's write up of the records search results you requested for the I-5 improvements project between I-405 and SR 55 in Irvine and Tustin. The report references are also attached. To summarize, there are no recorded prehistoric resources in the APE, but there are 6 within 0.5 mi of the APE. There is one historic water tank recorded in the APE (but it appears to be misplotted and isn't actually in the APE), and one historic district, Old Town Irvine.

Please let me know if you have any comments or questions after reviewing this information. Thanks!

From: Ivan Strudwick**Sent:** Friday, December 23, 2016 10:56 AM

Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

✖ DELETE ← REPLY ⇐ REPLY ALL → FORWARD ...



Terri Fulton

Tue 12/13/2016 1:03 PM

Mark as unread

To: tromero@juaneno.com;

Cc: Kerrie Absher;

📎 1 attachment

NA
letter_T~.pdf

Hello - I just wanted to check in with you one more time regarding this project. Thanks!

From: Terri Fulton

Sent: Wednesday, December 7, 2016 9:02 AM

To: tromero@juaneno.com

Cc: Kerrie Absher

Subject: Fw: Section 106 Consultation for the I-5 PA/ED Project (I-405 to SR-55), Orange County

Ms. Romero,

We sent a project notification letter dated November 22, 2016 for the I-5 PA/ED improvement project between I-405 and SR-55 in Orange County. I've attached the letter for your reference. Please let us know at your earliest convenience if you have concerns about this project and the potential to impact cultural resources. As always, thanks for your input.

Best,

Terri

Fw: Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5 PA/ED Project

✖ DELETE

← REPLY

↩ REPLY ALL

→ FORWARD

...



Terri Fulton

Tue 3/14/2017 9:34 AM

Mark as unread

To: gabrielenoindians@yahoo.com;

📎 1 attachment

Archeologist.docx

Good Morning, Andy -

Caltrans has asked that I follow up with you on your attached response for this project. Can you provide any specifics regarding resources that may be impacted? Thank you!

Best,

Terri

From: Gabrieleno Band of Mission Indians <gabrielenoindians@yahoo.com>

Sent: Tuesday, December 13, 2016 2:32 PM

To: Terri Fulton

Subject: Subject: Section 106 Consultation and Sacred Lands File Search Request for the Interstate 5 PA/ED Project

Dear Terri,

Please See Attachment

Sincerely,

Andrew Salas, Chairman
Gabrieleno Band of Mission Indians - Kizh Nation
PO Box 393
Covina, CA 91723
cell: (626)926-4131
email: gabrielenoindians@yahoo.com
website: www.gabrielenoindians.org

This page intentionally left blank



**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 15, 2018

VIA EMAIL

In reply refer to: FHWA_2018_0202_002

Mr. Charles Baker
District Environmental Branch Chief
Caltrans District 12, Santa Ana
1750 East 4th Street, Suite 100
Santa Ana, CA 92705

Subject: Determinations of Eligibility for the Proposed I-5 Widening Project, I-5 from I-405 to SR-55, 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), an Archaeological Survey Report, and a Historical Resources Evaluation Report for the proposed project.

Caltrans proposes to add an additional lane, both northbound and southbound on I-5 from I-405 to SR-55. A full project description is located on page 1 of the HPSR.

Pursuant to Stipulation VIII.C.2. of the PA, Caltrans is requesting concurrence that the following properties are not eligible for the National Register of Historic Places (NRHP):

- Las Casas Apartment Homes, 15491 Pasadena Avenue, Tustin
- King's Way Church, 600 West Sixth Street, Tustin
- Cathedral of Christ the King, 655 South B Street, Tustin
- El Camino Plaza, 610-712 El Camino Real, Tustin
- 1431-1439 Nisson Road, Tustin
- 1451 Nisson Road, Tustin
- Al's Woodcraft, 1471 Nisson Road, Tustin
- 14061 South C Street
- 14072 South C Street, Tustin

Mr. Baker
March 15, 2018
Page 2

FHWA_2018_0202_002

Based on my review of the submitted documentation, I concur with the foregoing determinations.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff 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



**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 15, 2018

VIA EMAIL

In reply refer to: FHWA_2018_0202_002

Mr. Charles Baker
District Environmental Branch Chief
Caltrans District 12, Santa Ana
1750 East 4th Street, Suite 100
Santa Ana, CA 92705

Subject: Determinations of Eligibility for the Proposed I-5 Widening Project, I-5 from I-405 to SR-55, 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), an Archaeological Survey Report, and a Historical Resources Evaluation Report for the proposed project.

Caltrans proposes to add an additional lane, both northbound and southbound on I-5 from I-405 to SR-55. A full project description is located on page 1 of the HPSR.

Pursuant to Stipulation VIII.C.2. of the PA, Caltrans is requesting concurrence that the following properties are not eligible for the National Register of Historic Places (NRHP):

- Las Casas Apartment Homes, 15491 Pasadena Avenue, Tustin
- King's Way Church, 600 West Sixth Street, Tustin
- Cathedral of Christ the King, 655 South B Street, Tustin
- El Camino Plaza, 610-712 El Camino Real, Tustin
- 1431-1439 Nisson Road, Tustin
- 1451 Nisson Road, Tustin
- Al's Woodcraft, 1471 Nisson Road, Tustin
- 14061 South C Street
- 14072 South C Street, Tustin

Mr. Baker
March 15, 2018
Page 2

FHWA_2018_0202_002

Based on my review of the submitted documentation, I concur with the foregoing determinations.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff 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 be 'JP' followed by a horizontal line.

Julianne Polanco
State Historic Preservation Officer

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

**June 28, 2016
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:

Chung, Jeeseong	LA Metro
Nord, Greg	OCTA
Morris, Michael	FHWA

SCAG:

Asuncion, John
Au, Anita
Luo, Rongsheng
Luo, Yunsheng
Tran, Daniel

Via Teleconference:

Alvarez, Grace	RCTC
Aurastech, Reza	Caltrans, District 12
Betash, Arman	Caltrans, District 12
Cacatian, Ben	VCAPCD
Castro, Fernando	Caltrans, District 7
DeHate, Eric	RCTC
Gallo, Ilene	Caltrans, District 11
Hudson, Kerrie	Caltrans, District 8
Lee, Jeannie	OCTA
Malisos, Achilles	Michael Baker International
Pereira, Melina	Caltrans, District 11
Sheehey, Erin	OCTA
Sheffer, Melissa	SCAQMD
Tavitas, Rodney	Caltrans Headquarters
Vaughn, Joseph	FHWA
Walecka, Carla	TCA
Wade, Dennis	ARB
Yoon, Andrew	Caltrans, District 7

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

**June 28, 2016
Minutes**

1.0 CALL TO ORDER AND SELF-INTRODUCTION

Greg Nord, OCTA, called the meeting to order at 10:07 am.

2.0 PUBLIC COMMENT PERIOD

There were no public comments.

3.0 CONSENT CALENDAR

- 3.1 April 26, 2016 Meeting Minutes
The meeting minutes were approved.

4.0 INFORMATION ITEMS

4.1 Review of PM Hot Spot Interagency Review Forms

1) **LA0D29**

It was reaffirmed that this is not a POAQC (EPA concurrence was received via email prior to the meeting).

2) **LA0G1047**

An Exempt project and was withdrawn by Metro on July 25, 2016.

3) **ORAI30302**

It was determined that this is not a POAQC (TCWG concurrence was received via email after the meeting).

4) **RIV110825**

It was determined that this is not a POAQC (EPA concurrence was received via email prior to the meeting).

4.2 FTIP Update

John Asuncion, SCAG, reported the following:

- Including Congestion Management Process (CMP) as a new element, Draft 2017 FTIP was scheduled to be presented to SCAG's Transportation Committee on July 7, 2016 for public release.
- Two public hearings would be held on July 14 and July 21, 2016 respectively.
- 2017 FTIP was scheduled to be presented to SCAG's Regional Council for adoption in September 2016.

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

**June 28, 2016
Minutes**

- State and federal approvals of 2017 FTIP were anticipated in November and December 2016, respectively.

Rongsheng Luo, SCAG, reported the following:

- Draft 2017 FTIP conformity analysis was included as three Sections of Draft 2017 FTIP Technical Appendix Volume II:
 - Section I is a summary of conformity requirements and findings.
 - Section II includes detailed results of regional emissions analysis.
 - Section III is TCM Timely Implementation Report.
- Draft Conformity Analysis demonstrated that Draft 2017 FTIP met all conformity requirements.
- Draft 2017 FTIP Conformity Analysis was scheduled to be presented to SCAG's Energy and Environmental Committee as an information item on July 7, 2016 and go through a 30 day public review period as part of Draft 2017 FTIP.
- 2017 FTIP Conformity Analysis was scheduled to be presented to Energy and Environmental Committee for recommendation to Regional Council for adoption in September 2016.
- Federal approval of conformity determination for 2017 FTIP would need to be received by December 15, 2016.

4.3 RTP Update

Daniel Tran, SCAG, reported the following:

- SCAG received joint conformity determination letters from FHWA and FTA on June 1 and June 2, 2016 respectively, indicating that all federal transportation conformity requirements for 2016 RTP/SCS and associated 2015 FTIP consistency amendment have been met.
- FHWA/FTA conformity determinations will remain in effect for four years.

4.4 EPA Update

None.

4.5 ARB Update

Dennis Wade, ARB, reported the following:

- Draft conformity budgets for Coachella Valley and South Coast region had been released for interagency consultation for 2008 8-hour ozone, 2012 annual PM_{2.5} and 2006 24-hour PM_{2.5} standards.
- Draft conformity budgets for West Mojave Desert region for 2008 8-hour ozone standards would be developed in August or September 2016.
- Draft conformity budgets for Ventura County were anticipated to be released for interagency consultation today or tomorrow.

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

**June 28, 2016
Minutes**

- Draft conformity budgets for Imperial County would be developed in July 2016 for 2012 annual PM_{2.5} standards, August or September 2016 for PM₁₀ standards, and November 2016 for 2008 8-hour ozone standards.

4.6 Air Districts Update

Melissa Sheffer, SCAQMD, reported that Draft 2016 South Coast AQMP was scheduled to be released for public review by June 30, 2016.

Ben Cacatian, VCAPCD, reported the following:

- Draft 2016 Ventura County AQMP/SIP for 2008 8-hour Ozone Standard was anticipated to be released in September 2016 for a 30-day review and adopted by VCAPCD Board in November 2016.
- Ventura County AQMP/SIP was anticipated to be submitted to ARB in December 2016 for transmittal to EPA as Ventura County portion of South Central Coast Air Basin SIP.

5.0 INFORMATION SHARING

None.

6.0 ADJOURNMENT

The meeting was adjourned at 10:40 am.

The next Transportation Conformity Working Group meeting will be held on Tuesday, July 26, 2016 at the SCAG office in downtown Los Angeles.

[HOME](#) [ABOUT](#) [BOARD](#) [PROGRAMS](#) [OPPORTUNITIES](#) [PARTICIPATE](#) [CALENDAR](#) [NEWS & MEDIA](#) [DATA & TOOLS](#)

SEARCH

GO

July 2016

PM Hot Spot Analysis Project Lists

Review of PM Hot Spot Interagency Review Forms

July, 2016	Determination
ORA130302 July 2016	Not a POAQC - Hot Spot Analysis Not Required
20159901 July 2016	Not a POAQC - Hot Spot Analysis Not Required (EPA, Caltrans, and FHWA concurrence was received via email after meeting)

SEARCH BY:

SEARCH

PM Hot Spot Forms

- December, 2016
- November, 2016
- October, 2016
- September, 2016
- August, 2016
- July, 2016
- June, 2016
- May, 2016
- March, 2016
- February, 2016

Qualitative Analysis

- August, 2016
- July, 2015
- October, 2014
- March, 2014
- January, 2014
- December, 2013
- February, 2013
- November, 2012
- September, 2012
- August, 2012

Quantitative Analysis

- August, 2016
- March, 2016
- September, 2015
- July, 2015
- May, 2015
- October, 2014
- August, 2014
- July, 2014
- June, 2014
- May, 2014

This page intentionally left blank



U.S. Department
of Transportation

**Federal Highway
Administration**

**Federal Highway Administration
California Division**

June 3, 2019

650 Capitol Mall, Suite 4-100
Sacramento, CA 95814
(916) 498-5001
(916) 498-5008 (fax)

In Reply Refer To:
HDA-CA

Ryan Chamberlain, District Director
California Department of Transportation
District 12
1750 E., 4th St., Suite 100
Santa Ana, CA 92705

Attention: Arman Behtash

Dear Mr. Chamberlain:

SUBJECT: Project Level Conformity Determination for the I-5 Improvement Project (FTIP ID ORA130302)

On April 25, 2019, the California Department of Transportation (Caltrans) submitted to the Federal Highway Administration (FHWA) a complete request for a project level conformity determination for the I-5 Improvement Project. The project is in an area that is designated Non-Attainment or Maintenance for Nitrogen Dioxide (NO₂), Carbon Monoxide (CO), Ozone and Particulate Matter (PM₁₀, PM_{2.5}).

The project level conformity analysis submitted by Caltrans indicates that the project-level transportation conformity requirements of 40 CFR Part 93 have been met. The project is included in the Southern California Association of Governments' (SCAG) current Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP), as amended. The design concept and scope of the preferred alternative have not changed significantly from those assumed in the regional emissions analysis.

As required by 40 CFR 93.116 and 93.123, the localized PM_{2.5} and PM₁₀ analyses are included in the documentation. The analyses demonstrate that the project will not create any new violations of the standards or increase the severity or number of existing violations.

Based on the information provided, FHWA finds that the I-5 Improvement Project conforms with the State Implementation Plan (SIP) in accordance with 40 CFR Part 93.

If you have any questions pertaining to this conformity finding, please contact Joseph Vaughn at (916) 498-5346 or by email at Joseph.Vaughn@dot.gov.

Sincerely,

Tashia J. Clemons
Director, Planning and Environment

This page intentionally left blank

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.*

December 15, 2017

Ms. Jaimee Bourgeois, P.E.

City of Irvine
Public Works - Traffic
P.O. Box 19575
Irvine, CA 92623-9575

Dear Ms. Bourgeois:

Re: Interstate 5 (I-5) PA/ED Project (I-405 to SR-55) Section 4(f) Evaluation Relating to Sand Canyon Trail, Jeffrey Open Space Trail, Orchard Park, Heritage Park, Peters Canyon Trail

The California Department of Transportation (Caltrans), as the lead agency, in coordination with the Orange County Transportation Authority (OCTA) as the funding agency, is in the process of preparing a joint Initial Study/Environmental Assessment (IS/EA) for the Interstate 5 (I-5) PA/ED Project in Orange County, California, between Interstate 405 (I-405) and State Route 55 (SR-55).

Effective March 30, 2017, *Caltrans continues to assume FHWA responsibilities under NEPA, pursuant to the 23 USC 325 MOU, and the 23 USC 327 MOU, and other federal environmental laws in the same manner as was assigned under the Pilot Program, with minor changes.* The environmental review, consultation, and other action required in accordance with applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 USC 327.

The proposed I-5 PA/ED Project (I-405 to SR-55) may 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 share information from the Preliminary Section 4(f) Resource Analysis. 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.”

Accordingly, a Preliminary Section 4(f) *De Minimis* Determination is proposed for five resources: Sand Canyon Trail, Jeffrey Open Space Trail, Orchard Park, Heritage Park, Peters Canyon Off-Street Bikeway. The Section 4(f) Evaluation included in Appendix A of the Initial Study/Environmental Assessment (IS/EA) identifies the Section 4(f) resources in the Study Area, describes the nature and extent of the potential effects on the property, and describes measures to minimize harm to the affected resources.

Within the project limits, there are five resources that may be impacted temporarily and/or permanently by the proposed project. These resources are located within the City of Irvine's jurisdiction, and are subject to protection under the provisions of Section 4(f).

- Sand Canyon Trail - The Sand Canyon Trail is a Class I (off-street) trail parallel to Sand Canyon Avenue in the City of Irvine, however, portions are located on-street for bicyclists and on a sidewalk for pedestrians. The north-south trail is approximately 4 miles long and extends from Portola Parkway in the north to I-405 in the south. The trail is a continuous access trail and can be accessed from various intersections along its alignment. The entire trail is open for public use.
- Jeffrey Open Space Trail - The Jeffrey Open Space Trail (JOST) is an open space corridor with both Class I (off-street) trail and Class II (on-street) facility (for bicyclists) parallel to Jeffrey Road in the City of Irvine. The JOST comprises both existing and planned segments. The existing JOST is a Class I facility from south of I-5 to just north of I-5 where the JOST joins an unnamed trail that serves the Cypress Village community and parallels northbound I-5. Continuing north along Jeffrey Road, the JOST is separated from the roadway and provides connections to the Venta Spur Trail, Portola Trail, parks, and residential development. Ultimately, the JOST would extend north of Portola Parkway, into the future Gateway Park.

The City of Irvine is currently preparing design documentation for a bicycle/pedestrian bridge overcrossing of the JOST at I-5 which are under review by Caltrans District 12. The JOST/I-5 bicycle/pedestrian bridge overcrossing project would connect this project at its northerly end to the existing JOST trail located north of I-5. Construction of the JOST/I-5 bicycle/pedestrian bridge overcrossing would close a gap in the existing trail system and complete the JOST from I-405 to Portola Parkway.

- Orchard Park - Orchard Park is adjacent to the project improvements on the east side of I-5 near Yale Avenue in the City of Irvine. The neighborhood park is approximately six acres in size and consists of park with two playgrounds, two basketball courts, one unlighted ball diamond, one unlighted soccer field, restrooms, picnic areas, and on-site parking.

- Heritage Park - Heritage Park is adjacent to the project improvements on the west side of I-5 between Yale Avenue and Culver Drive in the City of Irvine. The community park is approximately 36.5 acres in size and consists of park with two multi-use buildings, two child play areas, an amphitheater, a lake/pond, four restrooms, two concession stands, barbecues, a group picnic area, three pools, three lighted soccer fields, twelve lighted tennis courts, three lighted basketball courts, one volleyball court, two lighted racquetball courts, two lighted ball diamonds, and on-site parking.
- Peters Canyon Off-Street Bikeway - The Peters Canyon Off-Street Bikeway is a regional Class I (off-street) trail which is maintained by the City of Irvine. The existing off-street trail is approximately 4.6 miles long and is open for public use and passes under the I-5 Freeway. Through the project limits, the existing Class I (off-street) trail is on the east side of the Peters Canyon Wash Channel and crosses under I-5.

Caltrans, in cooperation with OCTA is proposing to widen I-5 between I-405 and SR-55. The project objectives are to increase the mainline capacity within the project limits along the I-5 corridor, improve operational deficiencies of merge and diverge areas within the project limits along the I-5 corridor, improve the existing auxiliary lanes operations, and optimize access of the existing high-occupancy vehicle (HOV) lane. The goal of the proposed project is to also minimize environmental impacts as well as right-of-way acquisitions within the project limits. The project limits on I-5 extend from approximately 0.4 mile (mi) north of the I-5/I-405 interchange (Post Mile [PM] 21.3) to 0.2 mi south of SR-55 (PM 30.3). The proposed project would add one general-purpose lane in each direction on I-5, reestablish existing auxiliary lanes and construct new auxiliary lanes, improve several existing on- and off-ramp junctions, and widen and/or replace several structures.

Three alternatives, including the No Build Alternative, will be analyzed as a part of the Initial Study/Environmental Assessment (IS/EA):

- Alternative 1: No Build Alternative
- Alternative 2A: Add one general-purpose lane (generally, full standard widths are proposed)
- Alternative 2B: Add one general-purpose lane (includes nonstandard shoulder widths and nonstandard lane widths)

Sand Canyon Trail – De Minimis Temporary Use (Alternatives 2A and 2B)

Construction of both Build Alternatives may require a temporary closure of the Sand Canyon Trail along the west side of Sand Canyon Avenue for up to 3 months during construction of the bridge widening (abutment and column bent) for I-5 over Sand Canyon Avenue. Although it is possible that bicyclists could share the travelled way lane with automobiles, a detour route has been identified for bicyclists who do not wish to mix with auto traffic. These closures would only occur when construction activity occurs in the vicinity of the trail. Southbound trail users

could detour around the construction area by continuing to the Class I (off-street) Cypress Village Trail at Sand Canyon Avenue and travel north toward Jeffrey Road. Trail users would then turn left at Jeffrey Road and travel south on the Jeffrey Open Space Trail. The trail user would turn left and head south on the Walnut Trail. The Walnut Trail would lead trail users back to Sand Canyon Avenue. This detour would be available for both northbound and southbound trail users. The affected portion of the trail as well as the proposed detours are shown on Figures 1 and 2. At the completion of construction, the trail segment at this location would be restored to its original alignment and to a condition as good as or better than prior to the project. The temporary detour would be part of the Transportation Management Plan (TMP) developed during the Plans, Specifications, and Estimates (PS&E) phase of the project. The trail closure plan would be coordinated with the City of Irvine and the County of Orange. The temporary effects of the Build Alternatives on this resource would not affect the activities, attributes and features that qualify the resource for protection under Section 4(f), with implementation of the measures described above, and, therefore those effects would be *de minimis*.

Jeffrey Open Space Trail –De Minimis Temporary Use (Alternative 2A Only)

The construction of the Alternative 2A would require the temporary closure of the Jeffrey Open Space Trail for approximately 9 months during the construction of the replacement Jeffrey Road overcrossing. Although it is anticipated that the new Jeffrey Road overcrossing would be constructed in stages to maintain traffic, which would still allow pedestrians access via the sidewalks on Jeffrey Road, a detour route has been identified for bicyclists who do not wish to mix with auto traffic. These closures would occur when construction activity occurs in the vicinity of the trail. At these times, the trail could be temporarily detoured. Southbound trail users would detour around the construction by continuing to the Class I (off-street) Cypress Village Trail at Jeffrey Road and travel southwest toward Sand Canyon Avenue. Trail users would then turn right at Sand Canyon Avenue and travel south on the Class I (off-street) Sand Canyon Trail. South of the Metrolink railroad tracks, the Sand Canyon Trail intersects with the Class I (off-street) Walnut Trail, the trail user would turn right and head northwest on the Walnut Trail. The Walnut Trail would lead trail users back to Jeffrey Road and the Jeffrey Open Space Trail. These detours would be available for both northbound and southbound trail users. The affected portion of the trail, as well as the proposed detours are shown on Figures 3 and 4. At the completion of construction, the trail segment at this location would be restored to its original alignment and to a condition as good as or better than prior to the project. The temporary detours would be part of the TMP developed during the PS&E phase of the project. The trail closure plan would be coordinated with the City of Irvine and the County of Orange. The temporary effects of Alternative 2A on this resource would not affect the activities, attributes and features that qualify the resource for protection under Section 4(f), with implementation of the measures described above, and, therefore those effects would be *de minimis*.

Orchard Park –De Minimis Permanent Use and De Minimis and Temporary Use (Alternative 2A Only)

De Minimis Permanent Use

As shown on Figure 6, Alternative 2A would require a permanent easement of 35 square feet of land (0.000048 percent of the total park acreage) from the existing six acre park for maintenance of the proposed wall along the western property line. The provision of a permanent easement would not affect the attributes of the park that qualify it for protection under the provisions of Section 4(f). A project feature would be implemented to require the permanent easement include provisions that provide for replacement of any landscaping or hardscape damaged as part of any maintenance activities. Because the establishment of a permanent easement of 35 square feet of land would result in only minimal effects on the park and would not affect the activities, features and attributes that qualify the property for protection under Section 4(f), those effects would be *de minimis*.

De Minimis Temporary Use

As shown on Figure 6, the construction of Alternative 2A would require a 0.15 acre TCE on the western boundary of Orchard Park. Project features will be implemented to require that the land used for the TCE be returned to the City of Irvine in its original or better condition when construction in the area has been completed and the TCE is no longer needed. During the design phase, the Project Engineer will be required to coordinate the restoration of the affected area within the TCE with the City of Irvine. The temporary effects of Alternatives 2A on this resource would not affect the activities, attributes and features that qualify the resource for protection under Section 4(f), with implementation of the measures described above, and, therefore those effects would be *de minimis*.

Heritage Park –De Minimis Permanent Use and De Minimis Temporary Use (Alternative 2A Only)

De Minimis Permanent Use

As shown on Figure 8, Alternative 2A would require the permanent acquisition of 0.17 acre of land (0.06 percent of the total park acreage) along the eastern property line from the existing 36.5 acre park that would constitute a permanent use under Section 4(f). This land consists of mainly landscaping. Additionally, a small portion (0.01 acre) of the edge of a maintenance area, maintenance shed, and lighting and landscaping would be affected. Replacement/relocation of the maintenance shed, relocation of some containers, and lighting located adjacent to the parking lot, would be required. A project feature would be implemented that requires that the permanent acquisition include provisions that provide for compensation to the owner for any landscaping or hardscape damaged as part of any maintenance activities. Because the permanent acquisition of 0.17 acre of land would result in only minimal effects on the park and would not affect the activities, features and attributes that qualify the property for protection under Section 4(f), those effects would be *de minimis*.

Temporary Occupancy

As shown on Figure 8, the construction of Alternative 2A would require a 0.46 acre TCE on the eastern boundary of Heritage Park. Project features will be implemented to require that the land used for the TCE is returned to the City of Irvine in its original or better condition when construction in the area has been completed and the TCE is no longer needed. During the design phase, the Project Engineer will be required to coordinate the restoration of the affected area within the TCE with the City of Irvine. The TCE for the construction of Alternative 2A would meet the five conditions listed in 23 CFR 774.13(d) and therefore, the temporary occupancy of this park under Alternative 2A for a TCE would not constitute a use under Section 4(f).

Peters Canyon Off-Street Bikeway –No Use (Alternatives 2A and 2B)

Although temporary trail closures during construction may be required for up to 3 months on the County of Orange’s Peters Canyon Regional Trail and Bikeway for the Build Alternatives, no temporary closure is required for the City’s Peters Canyon Off-Street Bikeway. During the temporary closure of the Peter’s Canyon Regional Trail and Bikeway, it is anticipated that pedestrian/bicyclist access would be maintained by accessing the Peters Canyon Off-Street Bikeway, located on the eastern side of Peters Canyon channel, potentially increasing volumes on the City’s portion of the trail. Since there will be no temporary closure for the Peters Canyon Off-Street Bikeway, it has been determined that there is no temporary use of this resource.

While the extent of project improvements is under review, it is expected that the project would result in the following:

Summary of Preliminary Section 4(f) Determinations				
Property Name	Alternative	Effects Under Section 4(f)		
		Permanent Use	Temporary Use/ Temporary Occupancy	Constructive Use
Sand Canyon Trail	Alternative 2A	No Use	<i>De Minimis</i>	No Use
	Alternative 2B	No Use	<i>De Minimis</i>	No Use
Jeffrey Open Space Trail	Alternative 2A	No Use	<i>De Minimis</i>	No Use
	Alternative 2B	No Use	No Use	No Use
Orchard Park	Alternative 2A	<i>De minimis</i> (35 square feet)	Temporary occupancy (No Use)	No Use
	Alternative 2B	No Use	No Use	No Use
Heritage Park	Alternative 2A	<i>De minimis</i> (0.172 acre)	Temporary occupancy (No Use)	No Use
	Alternative 2B	No Use	No Use	No Use
Peters Canyon Off-Street Bikeway	Alternative 2A	No Use	No Use	No Use
	Alternative 2B	No Use	No Use	No Use

Ms. Jaimee Bourgeois
December 15, 2017
Page 7

The activities, features, and attributes of these Section 4(f) resources would not be adversely affected as discussed above. Currently, the IS/EA is scheduled for circulation to the public in Spring 2018. The Section 4(f) Evaluation will be included as an appendix to the IS/EA. As per FHWA and Caltrans guidelines, Caltrans will be in contact with you prior to completion of the IS/EA for your approval in order to finalize these *De Minimis* and temporary occupancy/no use findings. Additionally, we would be available to meet prior to circulation of the IS/EA to discuss the construction activity, additional detour options, and avoidance, minimization or enhancement opportunities.

Sincerely,

SMITA DESHPANDE
Branch Chief
Division of Environmental Analysis

cc: Ms. Jeannie Lee, OCTA
Ms. Cheryl Lea, City of Irvine
Ms. Alicia Raish, OC Parks/Operations/City of Irvine

This page intentionally left blank

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.*

December 15, 2017

Mr. James Wootten
Maintenance Inspector Specialist | Regional Trails and Bikeways
OC Parks – Regional Trails and Parks
1 Irvine Park Road
Orange, CA 92606

Dear Mr. Wootten:

Re: Interstate 5 (I-5) PA/ED Project (I-405 to SR-55) Section 4(f) Evaluation Relating to Peters Canyon Regional Trail and Bikeway

The California Department of Transportation (Caltrans), as the lead agency, in coordination with the Orange County Transportation Authority (OCTA) as the funding agency, is in the process of preparing a joint Initial Study/Environmental Assessment (IS/EA) for the Interstate 5 (I-5) PA/ED Project in Orange County, California, between Interstate 405 (I-405) and State Route 55 (SR-55).

Effective March 30, 2017, *Caltrans continues to assume FHWA responsibilities under NEPA, pursuant to the 23 USC 325 MOU, and the 23 USC 327 MOU, and other federal environmental laws in the same manner as was assigned under the Pilot Program, with minor changes.* The environmental review, consultation, and other action required in accordance with applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 USC 327.

The proposed I-5 PA/ED Project (I-405 to SR-55) may 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 share information from the Preliminary Section 4(f) Resource Analysis. 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.”

Accordingly, a Preliminary Section 4(f) *De Minimis* Determination is proposed for Peters Canyon Regional Trail and Bikeway. The Section 4(f) Evaluation included in Appendix A of the

Initial Study/Environmental Assessment (IS/EA) identifies the Section 4(f) resources in the Study Area, describes the nature and extent of the potential effects on the property, and describes measures to minimize harm to the affected resources.

Within the project limits, Peter Canyon Regional Trail and Bikeway is the only resource under the County of Orange's jurisdiction, and is subject to protection under the provisions of Section 4(f).

- Peters Canyon Regional Trail and Bikeway - The Peters Canyon Regional Trail and Bikeway is a regional Class I (off-street) trail that connects the cities of Tustin, Orange, Irvine, and Newport Beach. The existing off-street trail is approximately 4.6 miles long and is open for public use and passes under the I-5 Freeway, within the Orange County Flood Control District right-of-way. Through the project limits, the existing Class I (off-street) trail is on the west side of the Peters Canyon Wash Channel and crosses under I-5. There is currently a missing segment of the trail in the City of Tustin. The trail currently terminates at the Metrolink railroad tracks near the Tustin city limits and continues from Warner Avenue to the south to the trail's terminus and connection to the San Diego Creek Trail at Barranca Parkway in the City of Irvine. At the missing trail segment, the Peters Canyon Trail connects to two Class I (off-street) trails for the length of the missing trail segment. There are future plans for the missing trail segment in the City of Tustin.

Caltrans, in cooperation with OCTA, is proposing to widen I-5 between I-405 and SR-55. The project objectives are to increase the mainline capacity within the project limits along the I-5 corridor, improve operational deficiencies of merge and diverge areas within the project limits along the I-5 corridor, improve the existing auxiliary lanes operations, and optimize access of the existing high-occupancy vehicle (HOV) lane. The goal of the proposed project is to also minimize environmental impacts as well as right-of-way acquisitions within the project limits. The project limits on I-5 extend from approximately 0.4 mile (mi) north of the I-5/I-405 interchange (Post Mile [PM] 21.3) to 0.2 mi south of SR-55 (PM 30.3). The proposed project would add one general-purpose lane in each direction on I-5, reestablish existing auxiliary lanes and construct new auxiliary lanes, improve several existing on- and off-ramp junctions, and widen and/or replace several structures.

Three alternatives, including the No Build Alternative, will be analyzed as a part of the Initial Study/Environmental Assessment (IS/EA):

- Alternative 1: No Build Alternative
- Alternative 2A: Add one general-purpose lane (generally, full standard widths are proposed)
- Alternative 2B: Add one general-purpose lane (includes nonstandard shoulder widths and nonstandard lane widths)

Peters Canyon Regional Trail and Bikeway– De Minimis Temporary Use (Alternatives 2A and 2B)

Temporary trail closures during construction may be required on the segments of the Peters Canyon Regional Trail and Bikeway directly beneath the Peters Canyon Bridge for the Build Alternatives. Closure of this trail is anticipated to occur for up to 3 months and would only occur when construction activity is being conducted in the vicinity of the trail. It is anticipated that pedestrian/bicyclist access would be maintained by accessing the City of Irvine’s Peters Canyon Off-Street Bikeway, located on the eastern side of the Peters Canyon channel. However, in the event that closure of both the County of Orange and City of Irvine trails to bicyclists occurs at this location, a detour plan has been developed for bicyclists. It is expected that pedestrian/bicyclist access can be maintained along one of the trails during construction. As shown on Figures 1 and 2, northbound trail users would exit the Peters Canyon Regional Trail and Bikeway at Walnut Avenue and travel southwest toward Culver Drive. Trail users would then turn left at Culver Drive and travel northeast on the Class II (on-street) bike lane on Culver Drive. At the intersection of Culver Drive and Bryan Avenue, the trail user would turn left onto the Class II bike lane on Bryan Avenue. A left turn onto Bryan Avenue would lead trail users back to an alternate entrance to the Peters Canyon Regional Trail and Bikeway. This detour would be available for both northbound and southbound trail users. Continuous access to the trail would be maintained based on the provision of detour routes during construction. Construction of the project would not prevent or substantially impair use of the trail. At the completion of construction, the trail segment at this location would be restored to its original alignment and to a condition as good as or better than prior to the project. The temporary detour would be part of the Transportation Management Plan (TMP) developed during the PS&E phase of the project. The trail closure plan of the Peters Canyon Regional Trail and Bikeway would be coordinated with the County of Orange and the City of Irvine. The effects of the Build Alternatives on this resource would not affect the activities, attributes and features that qualify the resource for protection under Section 4(f), with implementation of the measures described above, and, therefore those effects would be *de minimis*.

While the extent of project improvements is under review, it is expected that the project would result in the following:

Summary of Preliminary Section 4(f) Determinations				
Property Name	Alternative	Effects Under Section 4(f)		
		Permanent Use	Temporary Use	Constructive Use
Peters Canyon Regional Trail and Bikeway	Alternative 2A	No Use	<i>De Minimis</i>	No Use
	Alternative 2B	No Use	<i>De Minimis</i>	No Use

Mr. James Wootten
December 15, 2017
Page 4

The activities, features, and attributes of this Section 4(f) resource would not be adversely affected as discussed above. Currently, the IS/EA is scheduled for circulation to the public in Spring 2018. The Section 4(f) Evaluation will be included as an appendix to the IS/EA. As per FHWA and Caltrans guidelines, Caltrans will be in contact with you prior to completion of the IS/EA for your approval in order to finalize this *De Minimis* finding. Additionally, we would be available to meet prior to circulation of the IS/EA to discuss the construction activity, additional detour options, and avoidance, minimization or enhancement opportunities.

Sincerely,

SMITA DESHPANDE
Branch Chief
Division of Environmental Analysis

cc: Ms. Jeannie Lee, OCTA



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad> IS (Anaheim (3311778)> OR Black Star Canyon (3311776)> OR El Toro (3311766)> OR Laguna Beach (3311757)> OR Newport Beach (3311768)> OR Orange (3311777)> OR San Juan Capistrano (3311756)> OR Tustin (3311767))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Abronia villosa var. aurita</i> chaparral sand-verbena	G5T2T3 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive USFS_S-Sensitive	5 350	81 S:5	0	0	0	0	5	0	5	0	0	0	5
<i>Accipiter cooperii</i> Cooper's hawk	G5 S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	220 1,800	107 S:5	2	1	0	0	0	2	2	3	5	0	0
<i>Agelaius tricolor</i> tricolored blackbird	G2G3 S1S2	None Candidate Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	107 531	859 S:7	0	1	0	0	2	4	4	3	5	1	1
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	G5T3 S2S3	None None	CDFW_WL-Watch List	120 1,400	208 S:21	2	0	0	0	0	19	0	21	21	0	0
<i>Ammodramus savannarum</i> grasshopper sparrow	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	45 450	20 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Anaxyrus californicus</i> arroyo toad	G2G3 S2S3	Endangered None	CDFW_SSC-Species of Special Concern IUCN_EN-Endangered	1,000 1,000	135 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Antrozous pallidus</i> pallid bat	G5 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	700 700	406 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Aphanisma blitoides</i> aphanisma	G3G4 S2	None None	Rare Plant Rank - 1B.2	10 75	73 S:4	0	0	0	0	1	3	4	0	3	1	0
<i>Ardea herodias</i> great blue heron	G5 S4	None None	CDF_S-Sensitive IUCN_LC-Least Concern	250 250	137 S:1	0	0	1	0	0	0	0	1	1	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad> IS (Anaheim (3311778)> OR Black Star Canyon (3311776)> OR El Toro (3311766)> OR Laguna Beach (3311757)> OR Newport Beach (3311768)> OR Orange (3311777)> OR San Juan Capistrano (3311756)> OR Tustin (3311767))

Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Abronia villosa var. aurita</i> chaparral sand-verbena	G5T2T3 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive USFS_S-Sensitive	5 350	81 S:5	0	0	0	0	5	0	5	0	0	0	5
<i>Accipiter cooperii</i> Cooper's hawk	G5 S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	220 1,800	107 S:5	2	1	0	0	0	2	2	3	5	0	0
<i>Agelaius tricolor</i> tricolored blackbird	G2G3 S1S2	None Candidate Threatened	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_EN-Endangered NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	107 531	859 S:7	0	1	0	0	2	4	4	3	5	1	1
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	G5T3 S2S3	None None	CDFW_WL-Watch List	120 1,400	208 S:21	2	0	0	0	0	19	0	21	21	0	0
<i>Ammodramus savannarum</i> grasshopper sparrow	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	45 450	20 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Anaxyrus californicus</i> arroyo toad	G2G3 S2S3	Endangered None	CDFW_SSC-Species of Special Concern IUCN_EN-Endangered	1,000 1,000	135 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Antrozous pallidus</i> pallid bat	G5 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive WBWG_H-High Priority	700 700	406 S:1	0	1	0	0	0	0	1	0	1	0	0
<i>Aphanisma blitoides</i> aphanisma	G3G4 S2	None None	Rare Plant Rank - 1B.2	10 75	73 S:4	0	0	0	0	1	3	4	0	3	1	0
<i>Ardea herodias</i> great blue heron	G5 S4	None None	CDF_S-Sensitive IUCN_LC-Least Concern	250 250	137 S:1	0	0	1	0	0	0	0	1	1	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Asio otus long-eared owl	G5 S3?	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	700 800	43 S:2	0	0	0	0	0	2	2	0	2	0	0
Aspidoscelis hyperythra orangethroat whiptail	G5 S2S3	None None	CDFW_WL-Watch List IUCN_LC-Least Concern USFS_S-Sensitive	60 1,221	347 S:27	7	3	0	0	1	16	18	9	26	0	1
Aspidoscelis tigris stejnegeri coastal whiptail	G5T5 S3	None None	CDFW_SSC-Species of Special Concern	80 1,400	115 S:6	0	0	1	0	0	5	0	6	6	0	0
Astragalus brauntonii Braunton's milk-vetch	G2 S2	Endangered None	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden	650 1,200	42 S:3	0	2	0	0	0	1	0	3	3	0	0
Athene cunicularia burrowing owl	G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	5 350	1914 S:8	1	0	1	4	1	1	3	5	7	1	0
Atriplex coulteri Coulter's saltbush	G3 S1S2	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden	50 970	102 S:9	0	0	0	1	0	8	7	2	9	0	0
Atriplex pacifica south coast saltscale	G4 S2	None None	Rare Plant Rank - 1B.2	5 600	96 S:4	0	0	0	1	0	3	3	1	4	0	0
Atriplex parishii Parish's brittle scale	G1G2 S1	None None	Rare Plant Rank - 1B.1 USFS_S-Sensitive	300 300	16 S:2	0	0	0	0	1	1	2	0	1	1	0
Atriplex serenana var. davidsonii Davidson's saltscale	G5T1 S1	None None	Rare Plant Rank - 1B.2	0 50	28 S:4	0	0	0	1	1	2	3	1	3	1	0
Baccharis malibuensis Malibu baccharis	G1 S1	None None	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	1,040 1,040	7 S:1	0	0	0	0	0	1	0	1	1	0	0
Bombus crotchii Crotch bumble bee	G3G4 S1S2	None None		15 150	233 S:4	0	0	0	0	0	4	4	0	4	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Branchinecta sandiegonensis</i> San Diego fairy shrimp	G2 S2	Endangered None	IUCN_EN-Endangered	80 1,200	120 S:3	2	0	1	0	0	0	0	3	3	0	0
<i>Brodiaea filifolia</i> thread-leaved brodiaea	G2 S2	Threatened Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	130 970	131 S:3	0	1	1	0	0	1	0	3	3	0	0
<i>Buteo regalis</i> ferruginous hawk	G4 S3S4	None None	CDFW_WL-Watch List IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	500 520	107 S:2	0	0	0	0	0	2	0	2	2	0	0
<i>Buteo swainsoni</i> Swainson's hawk	G5 S3	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern USFWS_BCC-Birds of Conservation Concern	150 150	2409 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>California Walnut Woodland</i> California Walnut Woodland	G2 S2.1	None None		680 720	76 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Calochortus plummerae</i> Plummer's mariposa-lily	G4 S4	None None	Rare Plant Rank - 4.2 SB_RSABG-Rancho Santa Ana Botanic Garden	1,400 3,200	230 S:4	0	0	0	0	0	4	1	3	4	0	0
<i>Calochortus weedii</i> var. <i>intermedius</i> intermediate mariposa-lily	G3G4T2 S2	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive	300 2,980	138 S:60	2	15	4	0	0	39	12	48	60	0	0
<i>Campylorhynchus brunneicapillus sandiegensis</i> coastal cactus wren	G5T3Q S3	None None	CDFW_SSC-Species of Special Concern USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	200 1,200	153 S:35	2	14	6	0	1	12	20	15	34	1	0
<i>Catostomus santaanae</i> Santa Ana sucker	G1 S1	Threatened None	AFS_TH-Threatened IUCN_VU-Vulnerable	260 500	27 S:5	0	0	0	0	0	5	4	1	5	0	0
<i>Centromadia parryi</i> ssp. <i>australis</i> southern tarplant	G3T2 S2	None None	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	5 385	87 S:21	0	3	3	3	3	9	7	14	18	1	2



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's pincushion	G5T1T2 S1	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden		36 S:2	0	0	0	0	2	0	2	0	0	2	0
<i>Charadrius alexandrinus nivosus</i> western snowy plover	G3T3 S2S3	Threatened None	CDFW_SSC-Species of Special Concern NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	3 5	124 S:2	0	0	0	0	1	1	2	0	1	0	1
<i>Chloropyron maritimum</i> ssp. <i>maritimum</i> salt marsh bird's-beak	G4?T1 S1	Endangered Endangered	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden	5 5	27 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Choeronycteris mexicana</i> Mexican long-tongued bat	G4 S1	None None	CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened WBWG_H-High Priority	125 125	14 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Chorizanthe parryi</i> var. <i>fernandina</i> San Fernando Valley spineflower	G2T1 S1	Proposed Threatened Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive		21 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Chorizanthe polygonoides</i> var. <i>longispina</i> long-spined spineflower	G5T3 S3	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden	500 500	130 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Cicindela gabbii</i> western tidal-flat tiger beetle	G2G4 S1	None None		5 5	9 S:2	0	0	0	0	2	0	2	0	0	0	2
<i>Cicindela hirticollis grvida</i> sandy beach tiger beetle	G5T2 S2	None None		10 10	34 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Cicindela latesignata latesignata</i> western beach tiger beetle	G2G4T1T2 S1	None None		10 10	15 S:2	0	0	0	0	2	0	2	0	0	0	2



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	G5T2T3 S1	Threatened Endangered	BLM_S-Sensitive NABCI_RWL-Red Watch List USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	120 150	155 S:2	0	0	0	0	2	0	2	0	0	0	2
<i>Coelus globosus</i> globose dune beetle	G1G2 S1S2	None None	IUCN_VU-Vulnerable	10 13	49 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Comarostaphylis diversifolia ssp. diversifolia</i> summer holly	G3T2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden	250 700	106 S:4	0	0	1	0	0	3	3	1	4	0	0
<i>Crotalus ruber</i> red-diamond rattlesnake	G4 S3	None None	CDFW_SSC-Species of Special Concern USFS_S-Sensitive	400 1,520	178 S:6	1	0	0	0	0	5	1	5	6	0	0
<i>Danaus plexippus pop. 1</i> monarch - California overwintering population	G4T2T3 S2S3	None None	USFS_S-Sensitive	20 400	378 S:6	0	1	1	0	1	3	3	3	5	0	1
<i>Dudleya multicaulis</i> many-stemmed dudleya	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive	5 2,280	147 S:70	3	14	1	1	11	40	39	31	59	4	7
<i>Dudleya stolonifera</i> Laguna Beach dudleya	G1 S1	Threatened Threatened	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	25 600	6 S:6	1	3	2	0	0	0	5	1	6	0	0
<i>Elanus leucurus</i> white-tailed kite	G5 S3S4	None None	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern	12 870	162 S:18	0	2	0	0	0	16	0	18	18	0	0
<i>Empidonax traillii extimus</i> southwestern willow flycatcher	G5T2 S1	Endangered Endangered	NABCI_RWL-Red Watch List	370 370	70 S:1	1	0	0	0	0	0	0	1	1	0	0
<i>Emys marmorata</i> western pond turtle	G3G4 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable USFS_S-Sensitive	5 1,300	1187 S:17	1	1	4	1	1	9	13	4	16	1	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Eremophila alpestris actia</i> California horned lark	G5T3Q S3	None None	CDFW_WL-Watch List IUCN_LC-Least Concern	220 1,000	90 S:5	0	1	0	3	0	1	0	5	5	0	0
<i>Eriastrum densifolium ssp. sanctorum</i> Santa Ana River woollystar	G4T1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden		30 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Eryngium aristulatum var. parishii</i> San Diego button-celery	G5T1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	80 80	79 S:1	0	1	0	0	0	0	0	1	1	0	0
<i>Eucyclogobius newberryi</i> tidewater goby	G3 S3	Endangered None	AFS_EN-Endangered CDFW_SSC-Species of Special Concern IUCN_VU-Vulnerable	10 10	117 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Eumops perotis californicus</i> western mastiff bat	G5T4 S3S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern WBWG_H-High Priority	10 1,300	293 S:14	0	1	0	0	0	13	14	0	14	0	0
<i>Euphorbia misera</i> cliff spurge	G5 S2	None None	Rare Plant Rank - 2B.2 SB_RSABG-Rancho Santa Ana Botanic Garden	20 500	40 S:2	0	0	1	0	0	1	0	2	2	0	0
<i>Falco peregrinus anatum</i> American peregrine falcon	G4T4 S3S4	Delisted Delisted	CDF_S-Sensitive CDFW_FP-Fully Protected USFWS_BCC-Birds of Conservation Concern	161 161	54 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Gila orcuttii</i> arroyo chub	G2 S2	None None	AFS_VU-Vulnerable CDFW_SSC-Species of Special Concern USFS_S-Sensitive	250 435	49 S:3	0	0	2	0	0	1	1	2	3	0	0
<i>Haliaeetus leucocephalus</i> bald eagle	G5 S3	Delisted Endangered	BLM_S-Sensitive CDF_S-Sensitive CDFW_FP-Fully Protected IUCN_LC-Least Concern USFS_S-Sensitive USFWS_BCC-Birds of Conservation Concern	1,055 1,055	325 S:1	0	0	0	0	0	1	0	1	1	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Helianthus nuttallii</i> ssp. <i>parishii</i> Los Angeles sunflower	G5TH SH	None None	Rare Plant Rank - 1A	25 25	8 S:2	0	0	0	0	0	2	2	0	2	0	0
<i>Hesperocyparis forbesii</i> Tecate cypress	G2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture USFS_S-Sensitive	1,600 2,900	24 S:3	0	2	0	0	0	1	0	3	3	0	0
<i>Horkelia cuneata</i> var. <i>puberula</i> mesa horkelia	G4T1 S1	None None	Rare Plant Rank - 1B.1 USFS_S-Sensitive	500 1,330	103 S:3	0	0	0	0	0	3	2	1	3	0	0
<i>Icteria virens</i> yellow-breasted chat	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	10 600	93 S:6	1	3	0	0	0	2	2	4	6	0	0
<i>Isocoma menziesii</i> var. <i>decumbens</i> decumbent goldenbush	G3G5T2T3 S2	None None	Rare Plant Rank - 1B.2	50 50	102 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lasiurus cinereus</i> hoary bat	G5 S4	None None	IUCN_LC-Least Concern WBWG_M-Medium Priority	10 10	235 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's goldfields	G4T2 S2	None None	Rare Plant Rank - 1B.1 BLM_S-Sensitive SB_RSABG-Rancho Santa Ana Botanic Garden	50 300	97 S:4	0	0	1	0	2	1	2	2	2	2	0
<i>Laterallus jamaicensis coturniculus</i> California black rail	G3G4T1 S1	None Threatened	BLM_S-Sensitive CDFW_FP-Fully Protected IUCN_NT-Near Threatened NABCI_RWL-Red Watch List USFWS_BCC-Birds of Conservation Concern	0 0	244 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Lepechinia cardiophylla</i> heart-leaved pitcher sage	G3 S2S3	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden USFS_S-Sensitive	750 3,560	22 S:10	1	1	0	0	0	8	3	7	10	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper-grass	G5T3 S3	None None	Rare Plant Rank - 4.3	200 1,200	142 S:5	0	0	0	0	0	5	1	4	5	0	0
<i>Lithobates pipiens</i> northern leopard frog	G5 S2	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	1,100 1,100	22 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Monardella hypoleuca</i> ssp. <i>intermedia</i> intermediate monardella	G4T2? S2?	None None	Rare Plant Rank - 1B.3	1,000 3,700	38 S:9	0	0	0	0	0	9	5	4	9	0	0
<i>Myotis yumanensis</i> Yuma myotis	G5 S4	None None	BLM_S-Sensitive IUCN_LC-Least Concern WBWG_LM-Low-Medium Priority	300 300	262 S:2	0	0	0	0	0	2	0	2	2	0	0
<i>Nama stenocarpa</i> mud nama	G4G5 S1S2	None None	Rare Plant Rank - 2B.2	49 440	22 S:5	0	1	1	2	0	1	0	5	5	0	0
<i>Nasturtium gambelii</i> Gambel's water cress	G1 S1	Endangered Threatened	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden		12 S:1	0	0	0	0	1	0	1	0	0	0	1
<i>Navarretia prostrata</i> prostrate vernal pool navarretia	G2 S2	None None	Rare Plant Rank - 1B.1	80 80	60 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Nemacaulis denudata</i> var. <i>denudata</i> coast woolly-heads	G3G4T2 S2	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden	10 10	37 S:3	0	0	0	0	0	3	2	1	3	0	0
<i>Neotoma lepida intermedia</i> San Diego desert woodrat	G5T3T4 S3S4	None None	CDFW_SSC-Species of Special Concern	500 500	116 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Nolina cismontana</i> chaparral nolina	G3 S3	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden SB_SBBG-Santa Barbara Botanic Garden USFS_S-Sensitive	750 2,200	49 S:19	0	3	1	0	0	15	5	14	19	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Nyctinomops macrotis</i> big free-tailed bat	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern WBWG_MH-Medium-High Priority	50 50	32 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Orcuttia californica</i> California Orcutt grass	G1 S1	Endangered Endangered	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	75 75	37 S:1	0	0	1	0	0	0	0	1	1	0	0
<i>Pandion haliaetus</i> osprey	G5 S4	None None	CDF_S-Sensitive CDFW_WL-Watch List IUCN_LC-Least Concern	10 10	491 S:1	0	0	0	0	0	1	0	1	1	0	0
<i>Panoquina errans</i> wandering (=saltmarsh) skipper	G4G5 S2	None None	IUCN_NT-Near Threatened	5 5	14 S:2	0	0	0	0	0	2	0	2	2	0	0
<i>Passerculus sandwichensis beldingi</i> Belding's savannah sparrow	G5T3 S3	None Endangered		0 5	36 S:4	0	3	1	0	0	0	0	4	4	0	0
<i>Penstemon californicus</i> California beardtongue	G3 S2	None None	Rare Plant Rank - 1B.2 SB_RSABG-Rancho Santa Ana Botanic Garden SB_USDA-US Dept of Agriculture USFS_S-Sensitive	800 800	13 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Pentachaeta aurea ssp. allenii</i> Allen's pentachaeta	G4T1 S1	None None	Rare Plant Rank - 1B.1	350 1,700	8 S:6	0	0	0	0	1	5	4	2	5	1	0
<i>Perognathus longimembris pacificus</i> Pacific pocket mouse	G5T1 S1	Endangered None	CDFW_SSC-Species of Special Concern	500 600	14 S:2	0	0	0	0	1	1	2	0	1	0	1
<i>Phrynosoma blainvillii</i> coast horned lizard	G3G4 S3S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	80 1,800	735 S:23	2	2	1	1	1	16	14	9	22	1	0
<i>Poliophtila californica californica</i> coastal California gnatcatcher	G4G5T2Q S2	Threatened None	CDFW_SSC-Species of Special Concern NABCI_YWL-Yellow Watch List	10 1,660	821 S:120	12	24	8	5	3	68	31	89	117	3	0
<i>Pseudognaphalium leucocephalum</i> white rabbit-tobacco	G4 S2	None None	Rare Plant Rank - 2B.2	120 730	62 S:5	0	0	0	0	0	5	2	3	5	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Quercus dumosa</i> Nuttall's scrub oak	G3 S3	None None	Rare Plant Rank - 1B.1 USFS_S-Sensitive	150 600	148 S:7	2	1	1	0	1	2	5	2	6	0	1
<i>Rallus longirostris levipes</i> light-footed clapper rail	G5T1T2 S1	Endangered Endangered	CDFW_FP-Fully Protected NABCI_RWL-Red Watch List	0 5	31 S:3	0	1	0	0	0	2	0	3	3	0	0
<i>Rhinichthys osculus ssp. 3</i> Santa Ana speckled dace	G5T1 S1	None None	AFS_TH-Threatened CDFW_SSC-Species of Special Concern USFS_S-Sensitive	1,360 1,360	14 S:1	0	0	1	0	0	0	0	1	1	0	0
<i>Riparia riparia</i> bank swallow	G5 S2	None Threatened	BLM_S-Sensitive IUCN_LC-Least Concern	10 37	297 S:2	0	0	0	0	2	0	2	0	0	0	2
<i>Riversidian Alluvial Fan Sage Scrub</i> Riversidian Alluvial Fan Sage Scrub	G1 S1.1	None None		800 800	30 S:1	0	0	1	0	0	0	1	0	1	0	0
<i>Salvadora hexalepis virgulata</i> coast patch-nosed snake	G5T4 S2S3	None None	CDFW_SSC-Species of Special Concern	875 1,500	23 S:3	0	0	0	0	0	3	0	3	3	0	0
<i>Senecio aphanactis</i> chaparral ragwort	G3 S2	None None	Rare Plant Rank - 2B.2	300 600	47 S:2	0	0	0	0	0	2	1	1	2	0	0
<i>Setophaga petechia</i> yellow warbler	G5 S3S4	None None	CDFW_SSC-Species of Special Concern USFWS_BCC-Birds of Conservation Concern	12 300	65 S:2	0	1	0	0	0	1	0	2	2	0	0
<i>Sidalcea neomexicana</i> Salt Spring checkerbloom	G4 S2	None None	Rare Plant Rank - 2B.2 USFS_S-Sensitive		15 S:1	0	0	0	0	1	0	1	0	0	1	0
<i>Sorex ornatus salicornicus</i> southern California saltmarsh shrew	G5T1? S1	None None	CDFW_SSC-Species of Special Concern	5 5	4 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Southern California Arroyo Chub/Santa Ana Sucker Stream</i> Southern California Arroyo Chub/Santa Ana Sucker Stream	GNR SNR	None None		570 570	4 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Southern Coast Live Oak Riparian Forest</i> Southern Coast Live Oak Riparian Forest	G4 S4	None None		180 2,100	246 S:21	1	0	0	0	3	17	21	0	18	0	3
<i>Southern Coastal Salt Marsh</i> Southern Coastal Salt Marsh	G2 S2.1	None None		0 5	24 S:4	0	0	0	0	0	4	4	0	4	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
Southern Cottonwood Willow Riparian Forest Southern Cottonwood Willow Riparian Forest	G3 S3.2	None None		12 520	111 S:5	0	0	1	0	3	1	5	0	2	0	3
Southern Dune Scrub Southern Dune Scrub	G1 S1.1	None None		13 13	10 S:1	0	1	0	0	0	0	1	0	1	0	0
Southern Foredunes Southern Foredunes	G2 S2.1	None None		13 13	23 S:2	0	1	1	0	0	0	2	0	2	0	0
Southern Interior Cypress Forest Southern Interior Cypress Forest	G2 S2.1	None None		2,000 2,500	24 S:2	1	0	0	0	0	1	1	1	2	0	0
Southern Riparian Scrub Southern Riparian Scrub	G3 S3.2	None None		1,070 1,070	56 S:1	0	0	0	0	0	1	1	0	1	0	0
Southern Sycamore Alder Riparian Woodland Southern Sycamore Alder Riparian Woodland	G4 S4	None None		160 1,850	230 S:23	0	0	0	0	1	22	23	0	22	0	1
Southern Willow Scrub Southern Willow Scrub	G3 S2.1	None None		370 370	45 S:1	0	0	0	0	0	1	1	0	1	0	0
Spea hammondi western spadefoot	G3 S3	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_NT-Near Threatened	440 1,221	449 S:8	0	2	0	0	0	6	4	4	8	0	0
Sternula antillarum browni California least tern	G4T2T3Q S2	Endangered Endangered	CDFW_FP-Fully Protected NABCI_RWL-Red Watch List		68 S:2	0	0	0	0	0	2	2	0	2	0	0
Streptocephalus woottoni Riverside fairy shrimp	G1G2 S1S2	Endangered None	IUCN_EN-Endangered	700 1,000	82 S:2	0	1	0	0	0	1	0	2	2	0	0
Suaeda esteroa estuary seablite	G3 S2	None None	Rare Plant Rank - 1B.2	3 3	23 S:4	0	0	0	0	0	4	3	1	4	0	0
Symphyotrichum defoliatum San Bernardino aster	G2 S2	None None	Rare Plant Rank - 1B.2 BLM_S-Sensitive USFS_S-Sensitive		76 S:4	0	0	0	0	3	1	4	0	1	0	3
Taricha torosa Coast Range newt	G4 S4	None None	CDFW_SSC-Species of Special Concern	1,800 2,040	71 S:2	0	2	0	0	0	0	0	2	2	0	0



Summary Table Report

California Department of Fish and Wildlife

California Natural Diversity Database



Name (Scientific/Common)	CNDDB Ranks	Listing Status (Fed/State)	Other Lists	Elev. Range (ft.)	Total EO's	Element Occ. Ranks						Population Status		Presence		
						A	B	C	D	X	U	Historic > 20 yr	Recent <= 20 yr	Extant	Poss. Extirp.	Extirp.
<i>Taxidea taxus</i> American badger	G5 S3	None None	CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern	75 75	517 S:1	0	0	0	1	0	0	0	1	1	0	0
<i>Thamnophis hammondi</i> two-striped gartersnake	G4 S3S4	None None	BLM_S-Sensitive CDFW_SSC-Species of Special Concern IUCN_LC-Least Concern USFS_S-Sensitive	160 1,225	148 S:5	0	2	2	1	0	0	1	4	5	0	0
<i>Tryonia imitator</i> mimic tryonia (=California brackishwater snail)	G2 S2	None None	IUCN_DD-Data Deficient	0 0	39 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Valley Needlegrass Grassland</i> Valley Needlegrass Grassland	G3 S3.1	None None		500 500	45 S:1	0	0	0	0	0	1	1	0	1	0	0
<i>Verbesina dissita</i> big-leaved crownbeard	G1G2 S1	Threatened Threatened	Rare Plant Rank - 1B.1 SB_RSABG-Rancho Santa Ana Botanic Garden	500 800	2 S:2	0	2	0	0	0	0	0	2	2	0	0
<i>Vireo bellii pusillus</i> least Bell's vireo	G5T2 S2	Endangered Endangered	IUCN_NT-Near Threatened NABCI_YWL-Yellow Watch List	10 835	472 S:35	3	9	7	5	0	11	1	34	35	0	0

This page intentionally left blank



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:

October 16, 2019

Consultation Code: 08ECAR00-2020-SLI-0084

Event Code: 08ECAR00-2020-E-00195

Project Name: I-5 PA/ED Project (I-405 to SR-55)

Subject: 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: 08ECAR00-2020-SLI-0084

Event Code: 08ECAR00-2020-E-00195

Project Name: I-5 PA/ED Project (I-405 to SR-55)

Project Type: TRANSPORTATION

Project Description: I-5 Widening

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/33.69349959849617N117.77082200777468W>



Counties: Orange, CA

Endangered Species Act Species

There is a total of 13 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
Light-footed Clapper Rail <i>Rallus longirostris levipes</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/6035	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
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened

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

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

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
Santa Monica Mountains Dudleyea <i>Dudleya cymosa ssp. ovatifolia</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2538	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.

This page intentionally left blank

Quad Name **Tustin**

Quad Number **33117-F7**

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) -

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) -
Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -

Olive Ridley Sea Turtle (T/E) -

Leatherback Sea Turtle (E) -

North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -

Fin Whale (E) -

Humpback Whale (E) -

Southern Resident Killer Whale (E) -

North Pacific Right Whale (E) -

Sei Whale (E) -

Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -

Essential Fish Habitat

Coho EFH -

Chinook Salmon EFH -

Groundfish EFH -

Coastal Pelagics EFH -

Highly Migratory Species EFH -

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 -

MMPA Pinnipeds -

Quad Name **El Toro**

Quad Number **33117-F6**

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) -

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) -

Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -

Olive Ridley Sea Turtle (T/E) -

Leatherback Sea Turtle (E) -

North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -

Fin Whale (E) -

Humpback Whale (E) -

Southern Resident Killer Whale (E) -

North Pacific Right Whale (E) -

Sei Whale (E) -

Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -

Essential Fish Habitat

Coho EFH -

Chinook Salmon EFH -

Groundfish EFH -

Coastal Pelagics EFH -

Highly Migratory Species EFH -

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