



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION  
DETERMINATION FORM (rev. 11/2020)**

**Project Information**

**Project Name (if applicable):** Signing and Stripping Modifications Project

**DIST-CO-RTE:** 12-ORA-73

**PM/PM:** 23.8/R25.5

**EA:** 0V670

**Project Number:** 1225000060

**Project Description**

See Page 3.

**Caltrans CEQA Determination** (Check one)

- Not Applicable** – Caltrans is not the CEQA Lead Agency
- Not Applicable** – Caltrans has prepared an IS or EIR under CEQA

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

- Exempt by Statute.** (PRC 21080[b]; 14 CCR 15260 et seq.)
- Categorically Exempt. Class 1 (d).** (PRC 21084; 14 CCR 15300 et seq.)
  - No exceptions apply that would bar the use of a categorical exemption (PRC 21084 and 14 CCR 15300.2). See the [SER Chapter 34](#) for exceptions.
- Covered by the Common Sense Exemption.** This project does not fall within an exempt class, but it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment (14 CCR 15061[b][3].)

**Senior Environmental Planner or Environmental Branch Chief**

SMITA DESHPANDE  
Print Name

*Smita Deshpande*  
Signature

May 28, 2025  
Date

**Project Manager**

SAIED MEHRANFARD  
Print Name

*Saied Mehranfard*  
Signature

05/30/25  
Date



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Caltrans NEPA Determination (Check one)

Not Applicable

Caltrans has determined that this project has no significant impacts on the environment as defined by NEPA, and that there are no unusual circumstances as described in 23 CFR 771.117(b). See SER Chapter 30 for unusual circumstances. As such, the project is categorically excluded from the requirements to prepare an EA or EIS under NEPA and is included under the following:

23 USC 326: Caltrans has been assigned, and hereby certifies that it has carried out the responsibility to make this determination pursuant to 23 USC 326 and the Memorandum of Understanding dated April 18, 2019, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

- 23 CFR 771.117(c): activity (c)(26)
23 CFR 771.117(d): activity (d)(Enter activity number)
Activity Enter activity number listed in Appendix A of the MOU between FHWA and Caltrans

23 USC 327: Based on an examination of this proposal and supporting information, Caltrans has determined that the project is a Categorical Exclusion under 23 USC 327. The environmental review, consultation, and any other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by Caltrans pursuant to 23 USC 327 and the Memorandum of Understanding dated December 23, 2016 and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

SMITA DESHPANDE Smita Deshpande May 28, 2025
Print Name Signature Date

Project Manager/ DLA Engineer

SAIED MEHRANFARD Signature Date
Print Name

Date of Categorical Exclusion Checklist completion: NA
Date of Environmental Commitment Record or equivalent: 5/28/2025



## CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION DETERMINATION FORM

### **Continuation sheet:**

This Minor A proactive safety project is located at State Route 73 between Macarthur Blvd Overcrossing to Birch St Overcrossing, in Newport Beach and Irvine, in Orange County. The project will enhance safety and reduce collision severity by upgrading safety device to meet current MASH standards. The proposed work includes construct concrete guardrail and MGS at three locations. This Project is subject to CEQA and NEPA. All proposed work is within State's right of way and the acquisition of fee, permanent easements, or temporary construction easements are not needed.

The limits of the proposed project are within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) and the receiving body is San Diego Creek. The receiving water body at the project location is on the 2024 California Integrated Report (Clean Water Act Section 303(d) List/ 305(b) /Report) for unknown sources of Benthic Community Effects, Bifenthrin, DDT, Indicator Bacteria, Malathion, Nitrogen, Nutrients, Pyrethroids, Sedimentation/ Siltation, Selenium, Toxaphene, and Toxicity.

The Disturbed Soil Area (DSA) for the proposed project is anticipated to be less than 1.0 acre therefore a Water Pollution Control Program (WPCP) will be prepared and implemented to address temporary impacts to water quality. Potential temporary impacts to water quality will be addressed during construction with the application of specific temporary Best Management Practices (BMPs) as outlined in the contractor's WPCP. If the project disturbs more than 1.0 acre, a Storm Water Pollution Prevention Plan (SWPPP) should be prepared and implemented in place of a WPCP.

This project must conform to all applicable water quality regulations and/or permit requirements of the State Water Resources Control Board (SWRCB) and any applicable local Regional Water Quality Control Board(s), including, but not limited to, the Caltrans Statewide NPDES Permit (Order No. 2022-0033-DWQ, NPDES No. CAS000003), the Statewide NPDES General Permit for Storm Water Discharges Associated With Construction and Land Disturbance Activities (Order No. 2022-0057-DWQ, NPDES No. CAS000002), and the Caltrans Storm Water Management Plan (SWMP), and any subsequent revisions and/or additional requirements at the time of construction.

Please find the attached Environmental Commitment Record (ECR), which lists all the special measures that must be met and documented throughout the project. In addition to the measures included in the ECR, Caltrans will also implement all the Caltrans Standard Specifications as the project features related to construction noise, air, hazardous waste, pollution control, water pollution control, erosion, cultural resources, biological resources, and any subsequent requirements.

### **Supporting Technical Studies/Memo**

- Water Quality Technical Memo (CT DEA, Salas/Cuevas, 5/12/2025)
- Natural Environmental Study (No Effect) (CT DEA, Lisa Sato, 5/12/2025)
- Cultural Screening Memo (CT DEA, Victoria Stosel, 5/9/2025)
- Environmental Engineering Email (CT DEA, Shakeri Majd/Caraig, 4/22/2025)



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**Attachments: Supporting Technical Studies/Memo**

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## DEPARTMENT OF TRANSPORTATION

# Memorandum



*Making Conservation  
a California Way of Life*

**To: JUDY BERNAL**  
DISTRICT 12  
ENVIRONMENTAL ANALYSIS

**Date:** May 12, 2025

**File:** 12-0V670\_  
1225000060  
12-ORA-73  
PM 23.8/R25.5

**From: HECTOR SALAS**  
WATER QUALITY SPECIALIST  
NPDES/ STORM WATER UNIT  
ENVIRONMENTAL ANALYSIS / DISTRICT 12

**Subject: WATER QUALITY REVIEW TO UPGRADE SAFETY DEVICES ON SR 73**

Project proposes enhance safety and reduce collision severity by upgrading safety device to meet current MASH standards. The proposed work includes construct concrete guardrail and MGS at three locations on SR 73 between McArthur Blvd Overcrossing and Birch Street Overcrossing.

The limits of the proposed project are within the jurisdiction of the Santa Ana Regional Water Quality Control Board (RWQCB) and the receiving body is San Diego Creek. The receiving water body at the project location is on the 2024 California Integrated Report (Clean Water Act Section 303(d) List/ 305(b) /Report) for unknown sources of Benthic Community Effects, Bifenthrin, DDT, Indicator Bacteria, Malathion, Nitrogen, Nutrients, Pyrethroids, Sedimentation/ Siltation, Selenium, Toxaphene, and Toxicity.

The Disturbed Soil Area (DSA) for the proposed project is anticipated to be less than 1.0 acre therefore a Water Pollution Control Program (WPCP) will be prepared and implemented to address temporary impacts to water quality. Potential temporary impacts to water quality will be addressed during construction with the application of specific temporary Best Management Practices (BMPs) as outlined in the contractor's WPCP. If the project disturbs more than 1.0 acre, a Storm Water Pollution Prevention Plan (SWPPP) should be prepared and implemented in place of a WPCP.

Judy Bernal  
May 12, 2025  
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A Storm Water Data Report (SWDR) will be approved by the NPDES Unit to determine that this project conforms to Federal and State Clean Water Acts, and any other water quality regulations

Aside from the special provisions, there are no water quality specific related issues associated with this project that warrant any NPDES related CE Conditions.



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## DEPARTMENT OF TRANSPORTATION

# Memorandum



Making Conservation  
a California Way of Life

**TO:** JUDY BERNAL  
Environmental Division, Generalist  
1750 E. 4<sup>th</sup> St. Suite 100  
Santa Ana, CA 9270  
District 12

**Date:** May 9, 2025  
**File:** ORA-73 PM 23.8-R25.5  
RTE 73 Safety Device Upgrade  
**PN:** 12-2500-0060  
**EA:** 12-0V670

**From:** VICTORIA STOSEL *VS*  
Environmental Division, Specialist Unit  
1750 E. 4<sup>th</sup> St., Suite 100  
Santa Ana, CA 92705  
District 12

**Subject:** **Section 106 Screened Undertaking Memo & Paleo Review for Safety Device Upgrade ORA-73 PM 23.8-R25.5 in the City of Newport Beach and the City of Irvine, Orange County, California**

The Environmental Study Request (ESR) signed on April 16, 2025, and received on April 22, 2025, for the RTE 73 Safety Device Upgrade Project in the County of Orange, State Route (SR) 73 [Post Mile (PM) 23.8/R25.5). The primary purpose of the project is to enhance safety and reduce the severity and number of fixed object collisions. The primary need of the project is the current safety devices are non-standard to the Manual for Assessing Safety Hardware (MASH) standards.

**Project Description:**

Based on the request in the Environmental Study Request, signed April 16, 2025, the proposed project consists of the following: upgrading safety devices to meet current Manual for Assessing Safety Hardware (MASH) Standards. The proposed work includes constructing concrete guardrail and MGS at three locations. There will also be vegetation removal. The work will be performed within the Caltrans Right-of-Way. No staging areas, or construction easements have been identified.

**Cultural Review:** Based on the material provided in ESR, the Project Report, cultural documentation retained by Caltrans D12 from the SCCIC, aerial photographs, geodatabases and the following guidelines from the December 2024 *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, the United States Army Corps of Engineers' Sacramento District, San Francisco District, and Los Angeles District, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act* (Section 106 PA). The following provisions have been applied to this project-

The Provisions of the Section 106 PA, Appendix 2 have been applied to this project. This project falls under Class 10, "Repair of the highway and its facilities,;" Class 11, "Modification of existing features, such as slopes, ditches, curbs, sidewalks, driveways, dikes, or headwalls, within or adjacent to the right of way,;" Class 13, "Addition or replacement of devices, such as glare screens, median barriers, fencing, guardrails, safety barriers, energy attenuators, guide-posts, markers, safety cables, ladders, lighting, hoists, or signs,;"

and Class 14, "Installation, removal or replacement of roadway markings, such as painted stripes, raised pavement markers, thermoplastic tape, or raised bars, or installation of sensors in existing pavement,

**Paleontological Review** – The Project area was reviewed using the Caltrans GIS database and Paleobiology Database (accessed 5-8-2025). The proposed work location is within old paralic deposits, an area of high paleontological potential, which dates to the late to middle Pleistocene with a Potential Fossil Yield Classification (PFYC) of 3 (High).

While the project limits are within an area of high potential Paleontological sensitivity (Caltrans SER Chapter 8) the current scope of work (upgrading safety devices) will not result in any significant impacts to paleontological resources due to the limited scope of the project and projected ground disturbance. The maximum anticipated depth is 3.5 feet, while the maximum width is two feet. Thus, this project, as proposed, will have no potential to impact paleontological resources as a result.

**Further cultural or paleontological review will be required if project plans are changed, or if additional project locations are added.** While Caltrans concludes that this project will not affect any historic properties or fossil-bearing resources, in the unlikely event that cultural or paleontological resources are encountered during this project, all construction work in the immediate area must cease until the Caltrans Cultural staff can inspect the find. **As proposed, Standard Caltrans Cultural (Archaeological) & Paleontological Resources Specifications apply.**

- **PF-CUL-1:** If buried cultural resources are encountered during Project Activities, it is Caltrans policy that work stop within 60 feet of the area until a qualified archaeologist can evaluate the nature and significance of the find. *Standard Specification 14-2.03.*
- **PF-CUL-2:** In the event that human remains are found, the county coroner shall be notified and ALL construction activities within 60 feet of the discovery shall stop. Pursuant to Public Resources Code Section 5097.98, if the remains are thought to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) who will then notify the Most Likely Descendent (MLD). The person who discovered the remains will contact the District 12 Division of Environmental Analysis; Alben Phung, Senior Environmental Scientist: (949)279-8715 and Cheryl Sinopoli, DNAC: (949) 483-1018. Further provisions of PRC 5097.98 are to be followed as applicable. *Standard Specification 14-2.03.*
- **PF-PAL-1:** If unanticipated paleontological resources are discovered during Project Activities, it is Caltrans policy that work stop within 60 feet of the area until a qualified paleontologist can evaluate the nature and significance of the find. *Standard Specification 14-7.03.*

You may contact me at (949) 236-0570 or Victoria.stosel@gmail.com with any questions you may have regarding these comments.

Victoria Stosel  
Associate Environmental Planner, Archaeologist  
Environmental Analysis  
Caltrans District 12



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California Department of Transportation – District 12  
Natural Environmental Study – No Effect  
Technical Memorandum

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**As directed by HQ DEA, when an NES or NES MI is not prepared, this No Effect Technical Memorandum is used to document project review at Caltrans District 12. Use only for projects in urban areas where biological impacts are characterized either as: a) no biological impacts or b) the biological impacts are extremely minor, and ALL project effect(s) can be avoided with incorporated and/or proposed project avoidance measures (ex., construction calendar constraints).**

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**1 EA/E-FIS# or Federal Project # (FPN):** 12-0V670/1225000060

**2 Project Title:** SR-73 Minor A

**3 Location:** 12-ORA-73 PM 23.8/R25.5, City of Newport Beach

**4 Project Description:** This Minor A proactive safety project is located at State Route 73 between MacArthur Blvd. overcrossing to Birch St. overcrossing, in Newport Beach and Irvine, in Orange County. The project will enhance safety and reduce collision severity by upgrading safety device to meet current MASH standards. The proposed work includes constructing concrete guardrail and MGS at three locations.

**5 Project Setting:** This project is located in a semi-developed area. The project area includes mostly undeveloped native habitat with some highway ornamental areas. Nearby areas include residential neighborhoods, Bonita Creek and San Diego Creek. With the avoidance and minimization measure listed below, there will be no impact to biological resources.

**6 Methods Used:** Aerial photographs, California Natural Diversity Database (CNDDDB) (RareFind Version 5.1), the US Fish and Wildlife Service (USFWS) Information, Planning, and Conservation System (IPaC) species list, the National Marine Fisheries Service (NMFS) list, project plans, and CE request form.

**7 Resources Evaluated** (Species lists, CNDDDB, Critical Habitat, Regulations, Permits, laws, regulations, and other natural resource considerations): CNDDDB and USFWS IPAC and NMFS preliminary species lists were reviewed to determine the potential presence of sensitive plant, wildlife, and habitats within the project area.

**8 Avoidance Measures:**

No Effects to Biological Resources/No avoidance measures

Avoidance Measures Required (see list below)

Resources: Nesting birds

**Required Avoidance Measures:**

**BIO-1:** If any vegetation removal occurs during the nesting bird season (February 1-September 30), then a pre-construction survey by a Caltrans Biologist must be conducted within 72 hours prior to the start of work. The RE must request the nesting bird survey with at least 2 weeks of a notice to the Caltrans Biologist. If any active nests are found, the Caltrans Biologist will determine a no work buffer and determine if any resource agency coordination needs to occur.

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**9 Effect Findings** (Federally listed species/Critical Habitat/Federal or State Permits):

No Effect  No Permits Required

**FESA Effect Statement:** No effect. All project activity will occur on the State ROW. Project work will not increase ambient noise levels during the day and night-time work. No critical habitat is within or near the proposed project site. Therefore, there will be no effect to designated critical habitat. All the species on the IPaC and NMFS lists have a very low potential of occurring within the project areas; hence a No Effect determination has been made for this project.

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**10 Preparer:** Lisa Sato

Preparer is a Caltrans AEP (NS) or SEP (or above) with Natural Science experience (to demonstrate required professional qualifications).

**Caltrans Senior Environmental Scientist Approval:**



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Date: 5/12/25

**EA/E-FIS# or Federal Project # (FPN):** 12-0V670/1225000060

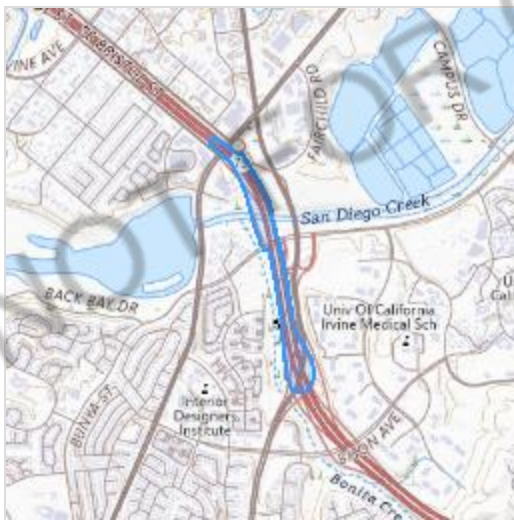
# IPaC resource list

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

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

## Location

Orange County, California



## Local office

Carlsbad Fish And Wildlife Office

☎ (760) 431-9440

📠 (760) 431-5901

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

NOT FOR CONSULTATION

# Endangered species

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

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

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

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

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

Listed species<sup>1</sup> and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries<sup>2</sup>).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

- 
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
  2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

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

## Mammals

NAME	STATUS
Pacific Pocket Mouse <i>Perognathus longimembris pacificus</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/8080">https://ecos.fws.gov/ecp/species/8080</a>	Endangered

## Birds

NAME	STATUS
California Least Tern <i>Sternula antillarum browni</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/8104">https://ecos.fws.gov/ecp/species/8104</a>	Endangered
Coastal California Gnatcatcher <i>Polioptila californica californica</i> Wherever found There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/8178">https://ecos.fws.gov/ecp/species/8178</a>	Threatened
Least Bell's Vireo <i>Vireo bellii pusillus</i> Wherever found There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/5945">https://ecos.fws.gov/ecp/species/5945</a>	Endangered
Light-footed Ridgway's Rail <i>Rallus obsoletus levipes</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/6035">https://ecos.fws.gov/ecp/species/6035</a>	Endangered
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> Wherever found There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/6749">https://ecos.fws.gov/ecp/species/6749</a>	Endangered

Western Snowy Plover *Charadrius nivosus nivosus* Threatened

There is **final** critical habitat for this species. Your location does not overlap the critical habitat.

<https://ecos.fws.gov/ecp/species/8035>

## Reptiles

NAME	STATUS
Southwestern Pond Turtle <i>Actinemys pallida</i> Wherever found No critical habitat has been designated for this species. <a href="https://ecos.fws.gov/ecp/species/4768">https://ecos.fws.gov/ecp/species/4768</a>	Proposed Threatened

## Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Proposed Threatened

## Flowering Plants

NAME	STATUS
Nevin's Barberrry <i>Berberis nevinii</i> Wherever found There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. <a href="https://ecos.fws.gov/ecp/species/8025">https://ecos.fws.gov/ecp/species/8025</a>	Endangered

## Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

# Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act [2](#) and the Migratory Bird Treaty Act (MBTA) [1](#). Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their nests, should follow appropriate regulations and implement required avoidance and minimization measures, as described in the various links on this page.

The [data](#) in this location indicates that no eagles have been observed in this area. This does not mean eagles are not present in your project area, especially if the area is difficult to survey. Please review the 'Steps to Take When No Results Are Returned' section of the [Supplemental Information on Migratory Birds and Eagles document](#) to determine if your project is in a poorly surveyed area. If it is, you may need to rely on other resources to determine if eagles may be present (e.g. your local FWS field office, state surveys, your own surveys).

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Bald and Golden Eagle information is not available at this time

## Bald & Golden Eagles FAQs

**What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?**

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply).

**Proper interpretation and use of your eagle report**

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

### **How do I know if eagles are breeding, wintering, or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **Interpreting the Probability of Presence Graphs**

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

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

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

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

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

### **Breeding Season ( )**

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

### **Survey Effort ( )**

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### **No Data ( )**

A week is marked as having no data if there were no survey events for that week.

### **Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

## Migratory birds

The Migratory Bird Treaty Act (MBTA) <sup>1</sup> prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior [authorization](#) by the Department of Interior U.S. Fish and Wildlife Service (FWS). The incidental take of migratory birds is the injury or death of birds that results from, but is not the purpose, of an activity. The FWS interprets the MBTA to prohibit incidental take.

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Migratory bird information is not available at this time

### Migratory Bird FAQs

**Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Avoidance & Minimization Measures for Birds](#) describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

**What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the [Bald and Golden Eagle Protection Act](#) and those species marked as "Vulnerable". See the FAQ "What are the levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

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

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **Why are subspecies showing up on my list?**

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

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

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

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

### **How do I know if a bird is breeding, wintering, or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

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

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);

2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Bald and Golden Eagle Protection Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

### **Details about birds that are potentially affected by offshore projects**

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

### **Proper interpretation and use of your migratory bird report**

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

### **Interpreting the Probability of Presence Graphs**

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

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

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

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

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

### **Breeding Season ()**

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

### **Survey Effort ()**

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### **No Data ()**

A week is marked as having no data if there were no survey events for that week.

### **Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

## Facilities

Wildlife refuges and fish hatcheries

Refuge and fish hatchery information is not available at this time

## Wetlands in the National Wetlands Inventory (NWI)

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

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Wetland information is not available at this time

This can happen when the National Wetlands Inventory (NWI) map service is unavailable, or for very large projects that intersect many wetland areas. Try again, or visit the [NWI map](#) to view wetlands at this location.

### **Data limitations**

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

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

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

### **Data exclusions**

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

### **Data precautions**

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



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



Query Criteria: Quad> IS <(Tustin (3311767))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Accipiter cooperii</i> Cooper's hawk	ABNKC12040	None	None	G5	S4	WL
<i>Actinemys pallida</i> southwestern pond turtle	ARAAD02032	Proposed Threatened	None	G2G3	SNR	SSC
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Threatened	G1G2	S2	SSC
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S4	WL
<i>Ammodramus savannarum</i> grasshopper sparrow	ABPBXA0020	None	None	G5	S3	SSC
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	Candidate Endangered	G4	S2	SSC
<i>Atriplex coulteri</i> Coulter's saltbush	PDCHE040E0	None	None	G3	S2	1B.2
<i>Atriplex pacifica</i> south coast saltscale	PDCHE041C0	None	None	G4	S2	1B.2
<i>Atriplex serenana var. davidsonii</i> Davidson's saltscale	PDCHE041T1	None	None	G5T1	S1	1B.2
<i>Bombus crotchii</i> Crotch's bumble bee	IIHYM24480	None	Candidate Endangered	G2	S2	
<i>Bombus pensylvanicus</i> American bumble bee	IIHYM24260	None	None	G3G4	S2	
<i>Campylorhynchus brunneicapillus sandiegensis</i> coastal cactus wren	ABPBG02095	None	None	G5T3Q	S2	SSC
<i>Centromadia parryi ssp. australis</i> southern tarplant	PDAST4R0P4	None	None	G3T2	S2	1B.1
<i>Choeronycteris mexicana</i> Mexican long-tongued bat	AMACB02010	None	None	G3G4	S1	SSC
<i>Cicindela latesignata</i> western beach tiger beetle	IICOL02110	None	None	G2G3	S1	
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	
<i>Coturnicops noveboracensis</i> yellow rail	ABNME01010	None	None	G4	S2	SSC
<i>Crotalus ruber</i> red-diamond rattlesnake	ARADE02090	None	None	G4	S3	SSC
<i>Dudleya multicaulis</i> many-stemmed dudleya	PDCRA040H0	None	None	G2	S2	1B.2
<i>Elanus leucurus</i> white-tailed kite	ABNKC06010	None	None	G5	S3S4	FP



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



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<b><i>Eremophila alpestris actia</i></b> California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
<b><i>Eumops perotis californicus</i></b> western mastiff bat	AMACD02011	None	None	G4G5T4	S3S4	SSC
<b><i>Helianthus nuttallii ssp. parishii</i></b> Los Angeles sunflower	PDAST4N102	None	None	G5TX	SX	1A
<b><i>Icteria virens</i></b> yellow-breasted chat	ABPBX24010	None	None	G5	S4	SSC
<b><i>Lasthenia glabrata ssp. coulteri</i></b> Coulter's goldfields	PDAST5L0A1	None	None	G4T2	S2	1B.1
<b><i>Laterallus jamaicensis coturniculus</i></b> California black rail	ABNME03041	None	Threatened	G3T1	S2	FP
<b><i>Lepidium virginicum var. robinsonii</i></b> Robinson's pepper-grass	PDBRA1M114	None	None	G5T3	S3	4.3
<b><i>Nama stenocarpa</i></b> mud nama	PDHYD0A0H0	None	None	G4G5	S1S2	2B.2
<b><i>Nasturtium gambelii</i></b> Gambel's water cress	PDBRA270V0	Endangered	Threatened	G1	S1	1B.1
<b><i>Passerculus sandwichensis beldingi</i></b> Belding's savannah sparrow	ABPBX99015	None	Endangered	G5T3	S3	
<b><i>Pentachaeta aurea ssp. allenii</i></b> Allen's pentachaeta	PDAST6X021	None	None	G4T1	S1	1B.1
<b><i>Perognathus longimembris pacificus</i></b> Pacific pocket mouse	AMAFD01042	Endangered	None	G5T2	S2	SSC
<b><i>Phrynosoma blainvillii</i></b> coast horned lizard	ARACF12100	None	None	G4	S4	SSC
<b><i>Polioptila californica californica</i></b> coastal California gnatcatcher	ABPBJ08081	Threatened	None	G4G5T3Q	S2	SSC
<b><i>Rallus obsoletus levipes</i></b> light-footed Ridgway's rail	ABNME05014	Endangered	Endangered	G3T1T2	S1	FP
<b><i>Senecio aphanactis</i></b> chaparral ragwort	PDAST8H060	None	None	G3	S2	1B.2
<b><i>Sidalcea neomexicana</i></b> salt spring checkerbloom	PDMAL110J0	None	None	G4	S2	2B.2
<b><i>Sorex ornatus salicornicus</i></b> southern California saltmarsh shrew	AMABA01104	None	None	G5T1?	S1	SSC
<b><i>Southern Coast Live Oak Riparian Forest</i></b> Southern Coast Live Oak Riparian Forest	CTT61310CA	None	None	G4	S4	
<b><i>Southern Coastal Salt Marsh</i></b> Southern Coastal Salt Marsh	CTT52120CA	None	None	G2	S2.1	
<b><i>Southern Sycamore Alder Riparian Woodland</i></b> Southern Sycamore Alder Riparian Woodland	CTT62400CA	None	None	G4	S4	



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



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<b><i>Spea hammondi</i></b> western spadefoot	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
<b><i>Sternula antillarum browni</i></b> California least tern	ABNNM08103	Endangered	Endangered	G4T2T3Q	S2	FP
<b><i>Suaeda esteroa</i></b> estuary seablite	PDCHE0P0D0	None	None	G3	S2	1B.2
<b><i>Symphotrichum defoliatum</i></b> San Bernardino aster	PDASTE80C0	None	None	G2	S2	1B.2
<b><i>Tryonia imitator</i></b> mimic tryonia (=California brackishwater snail)	IMGASJ7040	None	None	G2	S2	
<b><i>Vireo bellii pusillus</i></b> least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S3	

Record Count: 47

Date: 5/6/25

12-0V670

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 -



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION  
DETERMINATION FORM**

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## DEPARTMENT OF TRANSPORTATION




# Memorandum

**Making Conservation  
a California Way of Life**

**To:** SMITA DESHPANDE  
Branch Chief  
Environmental Analysis - Generalists  
Attn: Judy Bernal, Assoc. Env. Planner

**Date:** May 19<sup>th</sup>, 2025

**File:** 12-ORA-73,  
PM 23.5/23.8  
EA 0V670  
ID 1225000060

**From:**  RICARDO CARAIG JR., P.E.  
Branch Chief  
Environmental Engineering

**Subject:** **CE/CE Review Request**

This project is Minor A proactive safety project located at State Route 73 between Macarthur Blvd Overcrossing to Birch St Overcrossing, in Newport Beach and Irvine, in Orange County. The project will enhance safety and reduce collision severity by upgrading safety devices to meet current MASH standards. This Project is a follow up to Construction Contract Project EA 12-0M9604 which was a Capital Preventive Maintenance (CAPM) project on SR-73 northbound between Bonita Canyon Drive (PM 23.6) to Birch Street Overcrossing (PM 25.4) in the City of Irvine and Newport Beach. Midwest Guardrail System (MGS) shown in plan could not be constructed due to differing site conditions. A Contract Change Order (CCO-4) was executed to delete seven (7) locations from the contract. A Traffic Investigation Report (TIR) 231-0089O has been prepared, and the investigation found seven locations had need to be addressed. Location 31 is being developed through separate PIP 213-0088O and Location 36 has been constructed at southbound offramp at Bison Ave under separate contract. The project initiation proposal (PIP) will reconstruct five (5) locations with concrete barriers.

This project is considered as proactive safety project located between Macarthur Blvd Overcrossing to Birch St Overcrossing, in Newport Beach and Irvine, in Orange County. The project DSA is anticipated to be 0.03 acres. No TCE

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or ROW acquisitions are currently required/anticipated. It is worth to highlight that the ground disturbance includes:

- Concrete guardrail: Excavation depth 1 ft, width 2 ft.
- MGS: Excavation depth 3.5ft, width 1 ft.

Environmental Engineering Branch conducted a review and results are discussed below.

### **Air Quality**

The proposed project does not involve addition of lane; thus, it is not expected to significantly change air quality, and it can be concluded that the project is exempt according to the Table 2 of Code of Federal Regulations (CFR) Title 40 Section 93.126. Project submittal to the Transportation Conformity Working Group (TCWG) for Interagency Consultation is not required. Air Quality analysis is not needed.

### **Noise**

The proposed project does not involve any of the criteria listed in Section 3 of the Traffic Noise Analysis Protocol for New Highway Construction, Reconstruction, and Retrofit Barrier Projects (Protocol). Thus, according to the FHWA 23CFR772, this project does not qualify as a "Type I project" and therefore, traffic noise study is not required.

### **Greenhouse Gas**

The proposed project does not involve addition of lane; thus, motor vehicle capacity will not be increased. Operational GHG calculation is not needed.

According to Interim guidance: Determining CEQA significance for Greenhouse gas emissions for projects on the state highway system, all projects requiring analysis for CEQA involve some level of construction emission. Therefore, construction emissions must be quantified, and measures must be incorporated to reduce construction related emissions. This project will be categorical exemption for CEQA. According to the interim guidance, for the categorical exemption projects, construction emissions should be calculated at PID phase. If construction emissions were not calculated at PID, Environmental Engineering will calculate GHG emission from construction using CAL-CET 2021 version in the PA&ED phase.

The construction contractor must comply with the Caltrans' Standard Specifications in Section 14-9 (2024) for reducing impacts from construction

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activities. Section 14-9.02 specifically requires compliance by the contractor with all applicable laws and regulations related to air quality, including air pollution control district and air quality management district regulations and local ordinances.

### **Energy**

This project is not capacity increasing project; thus, operational energy analysis is not required. One time energy will be consumed in the construction phase.

### **Hazardous waste**

Environmental Engineering Branch conducted a review and results show project activities involve soil disturbance such as concrete barrier installation, removal of channel, headwalls, and grading of slope. Because of soil disturbance, ADL study is required; it seems adjacent projects (0M960 from Bonita Canyon drive/Ford Road undercrossing to Bristol Street Northbound on-ramp (post mile 22.5 to 25.7) and also 0V340 - on NB SR-73 off-ramp to Bonita Canyon Drive in the City of Irvine in OC CA (PM 22.2) and 0V360 from Jamboree Road overcrossing to Birch Street Overcrossing (PM 24.8/25.4) State Route 73 in Newport Beach reported Non-Regulated ADL Contaminated Soil; hence ADL study may not be needed.

The proposed preliminary cost estimate for the project also includes items such as drainage system modification, clearing and grubbing, roadway excavation, and minor concrete (minor structure). These activities involve soil disturbance and excavation; however, no supporting plans have been provided. Without plans for these improvements, it is not possible to determine whether the existing data is sufficient to assess the adequacy of existing soil information or to evaluate appropriate soil management strategies. Are these items still a part of this project?

If project involves disturbance of concrete in the future (e.g. removal of existing concrete pipe); design branch needs to request Environmental Engineering for the asbestos containing material (ACM) investigation with layout plans, highlighting the concrete disturbance area.

Construction activities appear to involve the removal and disposal of yellow thermoplastic striping (PTS), which may trigger the need for a lead-based paint (LBP) investigation. The proposed preliminary cost estimate includes an item for temporary traffic striping; clarification is needed on whether existing striping will

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be removed and replaced. If removal of existing striping is required, an LBP investigation may be necessary, particularly if as-built records do not indicate the date or year of the last installation.

It is worth highlighting that relative to removal/disposal of paint and thermoplastic striping (PTS), the yellow pigment for yellow thermoplastic material was banned in 2004 and yellow traffic stripe paint was banned in 1997. In case any removal/disposal of PTS is needed, design branch needs to request Environmental Engineering for Lead Based Paint (LBP) investigations.

It seems project activity includes removal/replacement of treated woods which contain chemical preservatives that are considered Treated Wood Waste. The specification for Treated Wood Waste [SSP 14-11.14] will be used and applied for the project, and it requires to obtain EPA ID and later ensuring timely consideration of Generation and Handling (G&H) fee payments to avoid potential penalties.

If project involves new/more soil disturbance, or concrete disturbance, or striping removal in the future, design branch needs to request Environmental Engineering to conduct additional ADL, ACM, and LBP investigations now to complete before RTL. If that schedule cannot be met, then an investigation maybe warranted during Construction phase which may require a CCO.

**RECOMMENDED** based on provided information, ADL, ACM and LBP tests/surveys are not required as of now, but supporting documents/clarification are needed from Environmental Engineering standpoint.

If you have any questions, please contact me at (949) 697-3500 or Morteza Shakeri Majd (my staff in Environmental Engineering Branch) at (949)556-2622. (Morteza.Shakeri.Majd@dot.ca.gov).

c: Saied Mehranfard, Branch Chief, District 12 Design Branch H  
Biyao Lu, Project Engineer, District 12 Design Branch H

**From:** [Bernal, Judy@DOT](mailto:Bernal.Judy@DOT)  
**To:** [Lu, Biyao@DOT](mailto:Lu.Biyao@DOT)  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request  
**Date:** Tuesday, May 27, 2025 3:21:00 PM  
**Attachments:** [image001.png](#)

---

Hello Biyao,

At this time, for cultural/bio/NPDES no mitigation/permits are anticipated. I am checking in with Haz Waste tomorrow to answer this question and see where they are at in returning their final review comments for the CE/CE.

I'll circle back with you as soon as I get a definite answer from them.

Judy Bernal

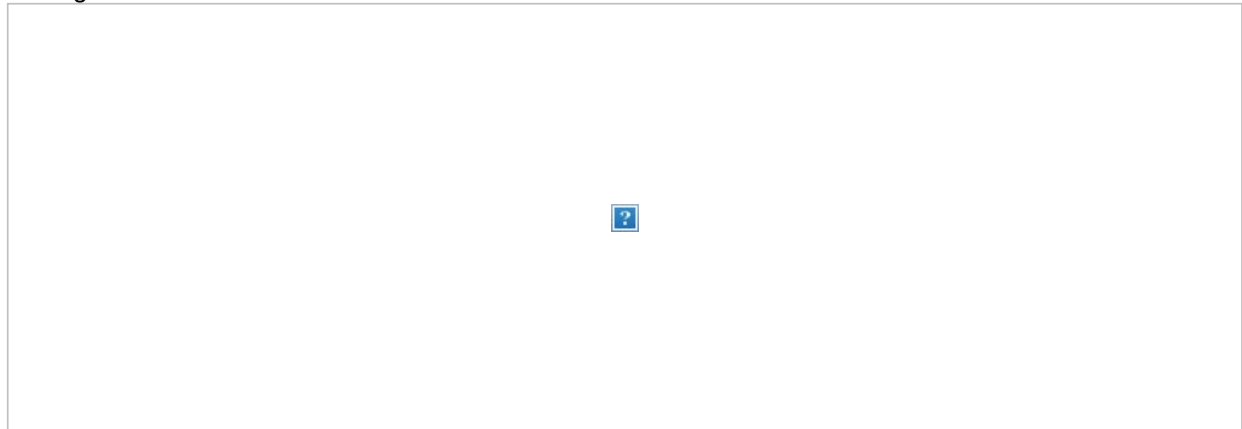
Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <Biyao.Lu@dot.ca.gov>  
**Sent:** Tuesday, May 27, 2025 2:34 PM  
**To:** Bernal, Judy@DOT <Judy.Bernal@dot.ca.gov>  
**Cc:** Bernardino, Kelly@DOT <Kelly.Bernardino@dot.ca.gov>; Mehranfard, Saied@DOT <saied.mehranfard@dot.ca.gov>; Phung, Alben@DOT <Alben.Phung@dot.ca.gov>; Deshpande, Smita R@DOT <smita.deshpande@dot.ca.gov>; Caraig Jr, Ricardo R@DOT <ricardo.caraig@dot.ca.gov>; Shakeri Majd, Morteza@DOT <Morteza.Shakeri.Majd@dot.ca.gov>  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request  
**Importance:** High

Hi Judy,

Is there any environmental permits/mitigation anticipated for this project? R/W unit is waiting on this for issuing the R/W datasheet.



Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>

**Sent:** Thursday, May 22, 2025 10:21 AM

**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>; Shakeri Majd, Morteza@DOT <[Morteza.Shakeri.Majd@dot.ca.gov](mailto:Morteza.Shakeri.Majd@dot.ca.gov)>;  
Caraig Jr, Ricardo R@DOT <[ricardo.caraig@dot.ca.gov](mailto:ricardo.caraig@dot.ca.gov)>

**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Thank you Biyao,

[@Shakeri Majd, Morteza@DOT](#) / [@Caraig Jr, Ricardo R@DOT](#) see Biyao's comments below and advise if anything else is needed for the CE review.

Thank you,

Judy Bernal

Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>

**Sent:** Thursday, May 22, 2025 9:42 AM

**To:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>; Shakeri Majd, Morteza@DOT <[Morteza.Shakeri.Majd@dot.ca.gov](mailto:Morteza.Shakeri.Majd@dot.ca.gov)>

**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>;  
Mehranfard, Saied@DOT <[saied.mehranfard@dot.ca.gov](mailto:saied.mehranfard@dot.ca.gov)>; Caraig Jr, Ricardo R@DOT <[ricardo.caraig@dot.ca.gov](mailto:ricardo.caraig@dot.ca.gov)>

**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Hi Judy,

See my responses in red below.

Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>

**Sent:** Thursday, May 22, 2025 7:54 AM

**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>

**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>;  
Mehranfard, Saied@DOT <[saied.mehranfard@dot.ca.gov](mailto:saied.mehranfard@dot.ca.gov)>; Caraig Jr, Ricardo R@DOT <[ricardo.caraig@dot.ca.gov](mailto:ricardo.caraig@dot.ca.gov)>

**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Hello Biyao,

I received the final env'r't review this past Monday 5/19/25. While Bio/Cultural/WaterQual did not have any concerns, Env'r't Eng. needs clarification on a few items before they can provide clearance for this project. Please see below regarding questions from the "Cost Estimate" and Hazardous Waste comments (Memo attached for reference) that need to be addressed before we can move forward with the CE approval:

- Cost estimate items involving soil disturbance and excavations work are list: drainage system modification, clearing and grubbing, roadway excavation, and minor concrete (minor structure). **Are these items still a part**

**of this project?** Yes. these items still a part of this project.

- HW Comment: No supporting plans were provided. Without plans, is it not possible to make a sufficient determination with the current data for soil management strategies. **Additional excavation/soil disturbance exhibits already sent to Morteza Shakeri on May 14, 2025. See attached email.**
- The proposed preliminary cost estimate includes an item for temporary traffic striping; **clarification is needed on whether existing striping will be removed and replaced. Existing striping will not be removed. Temporary striping is used during construction staging purpose only.**
  - HW Comment: If removal of existing striping is required, an LBP investigation may be necessary, particularly if as-built records do not indicate the date or year of the last installation.
- **EE Comments:**
  - Greenhouse Gas: construction emissions should be calculated at PID phase. SSP 14-9.02 apply to this project. **Will EE provide this SSP?**
  - Haz Waste: If project involves disturbance of concrete in the future (e.g. removal of existing concrete pipe); design branch needs to request Environmental Engineering for the asbestos containing material (ACM) investigation with layout plans, highlighting the concrete disturbance area. **No concrete removal in current project scope. Environmental Engineering will be notified if this comment applies.**
  - Haz Waste: Yellow pigment for yellow thermoplastic material was banned in 2004 and yellow traffic stripe paint was banned in 1997. In case any removal/disposal of PTS is needed, design branch needs to request Environmental Engineering for Lead Based Paint (LBP) investigations. Existing striping will not be removed.
  - Haz Waste: If project involves new/more soil disturbance, or concrete disturbance, or striping removal in the future, design branch needs to request Environmental Engineering to conduct additional ADL, ACM, and LBP investigations now to complete before RTL. **Environmental Engineering will be notified if this comment applies.**
  - Haz Waste: Treated Wood Waste SSP 14-11.14 apply to this project will add.

Air Quality/Noise/Energy studies not required.

Thank you,

Judy Bernal

Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>

**Sent:** Wednesday, May 21, 2025 9:42 AM

**To:** Bernal, Judy@DOT <[judy.bernal@dot.ca.gov](mailto:judy.bernal@dot.ca.gov)>

**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>;

Mehranfard, Saied@DOT <[saied.mehranfard@dot.ca.gov](mailto:saied.mehranfard@dot.ca.gov)>

**Subject:** RE: Minor A OV670 Phase 0 Environmental Request

Hi Judy,

Please provide status of Minor A OV670 Phase 0 Environmental Request.

Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 10:04 AM  
**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Thank you, looks good. I will route out shortly.

Judy Bernal  
Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 10:03 AM  
**To:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

See attached.

Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 9:53 AM  
**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Thank you, can you update and resend the ESR with those changes and I will route this out as soon as I get that item back.

Judy Bernal  
Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 9:51 AM  
**To:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A OV670 Phase 0 Environmental Request

Hi Judy,

This project is funded by federal and state.

Please use updated response for this question: [The Project includes constructing concrete guardrail and MGS at three locations, will this include any of the following excavation and to what depth/width? For concrete guardrail : Excavation depth 1 ft, width 2 ft. For MGS: Excavation depth 3.5ft, width 1 ft.](#)

Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 9:46 AM  
**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A OV670 Phase 0 Environmental Request

Thank you for the first part-

For clarification- is this project Federally funded only (Only NEPA)? Since I saw CEQA in the PIR I needed to confirm as the units have different forms and processes for NEPA and CEQA.

Judy Bernal  
Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 9:41 AM  
**To:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A OV670 Phase 0 Environmental Request

Hi Judy,

Please see my responses in red. For the last question ( yellow highlighted): I am not too sure what need to be revised? Can you explain more?

Thanks,

**Biyao Lu, PE, MSCE**

**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

---

**From:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>  
**Sent:** Thursday, April 17, 2025 7:48 AM  
**To:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>  
**Cc:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>; Phung, Alben@DOT <[Alben.Phung@dot.ca.gov](mailto:Alben.Phung@dot.ca.gov)>  
**Subject:** RE: Minor A 0V670 Phase 0 Environmental Request

Good Morning Biyao,

I am the generalist assigned to this Project. Before I can route this out, I need the following revisions to the ESR answered:

What is the anticipated DSA? **0.03acre**

Are any TCEs anticipated? **No TCE**

The Project includes constructing concrete guardrail and MGS at three locations, will this include any of the following excavation and to what depth/width? **Excavation depth 1 ft, width 2 ft.**

- Ground disturbance **Yes**
- Vegetation removal **Yes**
- Removal of trees **No**
- Trenching: \_\_\_\_\_max depth **No**

And on the PIR/ESR: Under the PIR, the "Project Description" states a CEQA/NEPA ; Under the ESR, CEQA is not checked. Please confirm and revise funding where appropriate.

<b>Environmental Determination or Document</b>	CEQA/NEPA
--	-----------

Thank you,

Judy Bernal  
Associate Environmental Planner, Archaeologist  
Environmental Analysis, Specialist Branch  
California Department of Transportation, District 12  
Mobile: (949) 279-8741

---

**From:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>  
**Sent:** Wednesday, April 16, 2025 11:24 AM  
**To:** Bernal, Judy@DOT <[Judy.Bernal@dot.ca.gov](mailto:Judy.Bernal@dot.ca.gov)>; Saroa, Sunny@DOT <[Sunny.Saroa@dot.ca.gov](mailto:Sunny.Saroa@dot.ca.gov)>  
**Subject:** FW: Minor A 0V670 Phase 0 Environmental Request

Please log in and process as Judy's

---

**From:** Lu, Biyao@DOT <[Biyao.Lu@dot.ca.gov](mailto:Biyao.Lu@dot.ca.gov)>

**Sent:** Wednesday, April 16, 2025 11:21 AM

**To:** Deshpande, Smita R@DOT <[smita.deshpande@dot.ca.gov](mailto:smita.deshpande@dot.ca.gov)>

**Cc:** Mehranfard, Saied@DOT <[saied.mehranfard@dot.ca.gov](mailto:saied.mehranfard@dot.ca.gov)>

**Subject:** Minor A 0V670 Phase 0 Environmental Request

### **Minor A 0V670 Phase 0 Environmental Request**

Hi Smita,

Attached are the CE request form, PIP, draft PR, Draft PS&E.

The project scope: The proposed work includes upgrade safety devices at three locations On Route 73 between Macarthur Blvd OC to Birch St OC.

The environmental documents and PR review for this Minor A project phase 0 by due date of **May 20, 2025** are appreciated.

Please provide your unit number and resource hours needed for this project.


Thanks,

**Biyao Lu, PE, MSCE**  
**Work Cell: (949) 795-7418**  
Transportation Engineer  
Design Branch H  
Office of Design - District 12

## CLIMATE CHANGE FORM



## PA&ED Climate Change Assessment for Categorical Exemptions and Categorical Exclusions

<b>PURPOSE</b>	
<p>This form is not an environmental document or determination. The following information and recommendations are based on the project description provided in this assessment. The discussion and conclusions provided by this climate change assessment are based on best available information at the time of preparation, and mapping tools to estimate the potential for project effects on climate change and for resilience of the project to climate change.</p> <p>The purpose of this assessment is to document climate change (GHG and Adaptation) considerations for projects completing PA&amp;ED with a categorical exemption/categorical exclusion for the project administrative record. Form should be completed at PA&amp;ED and uploaded along with the CE/CE into the STEVE Supercontainer. Changes in project scope, alternatives, existing environmental conditions, and/or environmental laws or regulations will require a reevaluation of this assessment.</p>	
Signatures: (save as PDF and request e-signatures)	
 _____ Environmental Planner	5/28/2025 _____ Environmental Branch Chief

<b>DATE:</b> 5/28/2025	<b>CO-RTE-PM:</b> 12- ORA-73-PM 23.8/R25.5
<b>Prepared By:</b> Judy Bernal Environmental Planner Phone Number: 949-279-8741	<b>EFIS Number:</b> 1225000060
	<b>EA:</b> 0V670
	<b>Project Nickname:</b> Minor A Proactive Safety Project
<b>USE ONLY FOR CEs</b>	
This form is intended only for use with CEQA Categorical Exemptions and NEPA Categorical Exclusions. For other environmental document types, consult the appropriate annotated outline.	
<b>PROJECT ACTIVITY TYPE – Identify the primary project program category:</b>	
<b>Other (describe)</b>	Other: Replace or reconstruction of an existing utility system

PRELIMINARY DESIGN INFORMATION – Does the project involve any of the following:			
<input type="checkbox"/> New alignment <input type="checkbox"/> Road realignment <input type="checkbox"/> Road widening <input type="checkbox"/> Bridge work <input checked="" type="checkbox"/> Road cut/fill <input checked="" type="checkbox"/> Detours <input type="checkbox"/> Grinding <input type="checkbox"/> Construct access roads	<input type="checkbox"/> Disposal/borrow site(s) <input type="checkbox"/> Equipment staging area <input type="checkbox"/> Drainage/culverts <input type="checkbox"/> 100-year floodplain <input type="checkbox"/> Establish CRZ <input type="checkbox"/> Railroad <input type="checkbox"/> NPS, USFS, BLM, DPR, or other State or Federal lands	<input checked="" type="checkbox"/> Ramp closure <input type="checkbox"/> R/W acquisition <input type="checkbox"/> Temporary easements <input type="checkbox"/> Utility relocation <input checked="" type="checkbox"/> Ground disturbance: Est. max. depth: <u>3.5'</u> <input checked="" type="checkbox"/> Vegetation removal <input type="checkbox"/> Tree removal <input type="checkbox"/> Retaining/Sound walls	<input type="checkbox"/> Pile driving <input type="checkbox"/> Seasonal construction window <input checked="" type="checkbox"/> Night work <input type="checkbox"/> Blasting <input type="checkbox"/> Stream bed, bank, and channel work <input checked="" type="checkbox"/> Other: Lane closure
SUMMARY STATEMENT – Include this summary statement in the CE to support the climate change analysis. Include greenhouse gases evaluation and other climate risks/exposures.			
<p>The Environmental Division has evaluated this non-capacity increasing project for greenhouse gas emissions and other climate change impacts. It has determined that the project would not cause a significant impact on GHG emissions because the project falls under a maintenance repair.</p> <p><b>Climate change Assumptions and Risks are presented at the end of this document.</b></p>			
PURPOSE AND NEED STATEMENT (Purpose = project goal; Need = identified transportation deficiency)			
<p><b>Purpose:</b> The primary purpose of the project is to enhance safety and reduce the severity and number of fixed object collisions.</p>			
<p><b>Need:</b> The primary need of the project is the current safety devices are non-standard to Manual for Assessing Safety Hardware (MASH) standards.</p>			
PROJECT DESCRIPTION			
<p>This Minor A proactive safety project is located at State Route 73 between Macarthur Blvd Overcrossing to Birch St Overcrossing, in Newport Beach and Irvine, in Orange County. The project will enhance safety and reduce collision severity by upgrading safety device to meet current MASH standards. The proposed work includes construct concrete guardrail and MGS at three locations.</p> <p>The total anticipated DSA is 0.03 acre. Ground disturbance is minor and related to concrete guardrail and MGS as follows: for guardrail excavation depths are 1 ft by width 2 ft. and for MGS excavation depths are 3.5 ft by width 1 ft.</p>			
CLIMATE CHANGE CONSIDERATIONS			
Greenhouse Gas Analysis			
Is the project capacity-increasing? (If yes, quantitative GHG analysis is required)			No
Would the project induce VMT that would increase GHG emissions? (If yes, quantitative GHG analysis required)			No
Is the project expected to be controversial?			No

Have construction emissions been estimated using the FHWA ICE tool (within the PID for SHOPP projects), CalEEMod, or CAL-CET?	Yes
Does the project contain <b>features</b> that contribute to GHG reduction or sequestration?	Yes
Does the project contain <b>avoidance/minimization measures, standard specs, or mitigation measures</b> from other resource topics that reduce GHGs? (e.g., tree replacement, compensatory mitigation)	Yes
<b>Adaptation</b>	
<i>Sea Level Rise</i>	
Is the project in the Coastal Zone (along the external coast or San Francisco Bay)?	No
Is the project in an area at risk for sea level rise (SLR) including storm surge or cliff erosion?	No
Has the project been designed with SLR and adaptation in mind?	No
Has there been early engagement (pre-PID or PID) with the Coastal Commission, BCDC, or local coastal program?	NA
Does the project location have a history of flooding or coastal erosion (high tide or storms)?	No
<i>Precipitation and Flooding</i>	
Is the project in a location with a history of flooding during storms?	No
Is the project location (floodplain, river mouth) at risk of increased or more frequent flooding from more intense precipitation (i.e., 100 year or 200 year floodplain within a FEMA Flood Insurance Rate Map)? (See <a href="https://gis.bam.water.ca.gov/bam/">https://gis.bam.water.ca.gov/bam/</a> )	No
<i>Wildfire</i>	
Is the project in high fire-hazard severity zone?	No
<i>Temperature</i>	
Is the project located where anticipated temperature changes could affect project? (e.g., change pavement material decisions; be at risk of heat degradation or fire damage)	No
<b>Explain "Yes" responses:</b> NA	
<b>Supporting Technical Studies and Analyses</b> (check all that apply that have been completed to support evaluation):	
<input type="checkbox"/> Quantitative GHG analysis	<input type="checkbox"/> Sea Level Rise Technical Report
<input type="checkbox"/> Location Hydraulic Study (with climate change emphasis)	<input checked="" type="checkbox"/> Other: GHG Emissions reduction strategies

**Agencies Involved:** (if checked above under Preliminary Design Information)

**CLIMATE CHANGE ASSUMPTIONS AND RISKS** -- Briefly list the risks and assumption you used to evaluate greenhouse gas emissions and other climate change risks.

This project is a Safety Minor A that has reduction strategies which will be considered: Reduction of construction waste, energy efficient construction methodologies, fuel efficient measures for equipment and traffic management, local materials be used (where feasible/available) to reduce GHG emissions, reduce frequency of vehicle idle times.