



**CEQA EXEMPTION / NEPA CATEGORICAL EXCLUSION
DETERMINATION FORM (rev. 06/2022)**

Project Information

Project Name (if applicable): Encroachment Permit No. 1225-6US-0736

DIST-CO-RTE: 12-ORA-39

PM/PM: 7.59

EA: N/A

Permit Number: 1225-6US-0736/ TD2246774

Project Description

The applicant, Southern California Edison (SCE) proposes to remove and replace deteriorated transmission pole #848966E/ TD2246774 located along SR-39 (Beach Blvd) in the City of Westminster, within the State's Right-of-Way. Replacement pole will be installed on the sidewalk along the east side of SR-39 (Beach Boulevard), 140 feet southwest of Westminster Blvd. Pole 848966E will be installed in the same hole set at Postmile (PM) 7.59.

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 (c).** (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 Desphande

10/28/25

Print Name Alben Phung for Smita Deshpande Signature

Date

Project Manager

Pauline Wong

10/28/25

Print Name

Signature

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, 2022, executed between FHWA and Caltrans. Caltrans has determined that the project is a Categorical Exclusion under:

☒ **23 CFR 771.117(c): activity (c)(2)**

☐ **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 May 27, 2022, and executed by FHWA and Caltrans.

Senior Environmental Planner or Environmental Branch Chief

Smita Desphande

Print Name

Alben Phung for Smita Deshpande

Signature

10/28/25

Date

Project Manager/ DLA Engineer

Pauline Wong

Print Name

Signature

10/28/25

Date

Date of Categorical Exclusion Checklist completion (if applicable): N/A

Date of Environmental Commitment Record or equivalent: N/A



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Continuation sheet:

There are no significant environmental consequences anticipated with the proposed project. In addition to the measures given in the Caltrans Standard Specifications, measures related to construction water quality, hazardous waste, and greenhouse gas (GHG) emissions and any subsequent requirements will be implemented as project features to the proposed project.

Water Quality:

NPDES unit has the following comment for Encroachment permit 1225-6US-0736 below on the impacts associated with the replacement of one deteriorated transmission pole:

The applicant understands and agrees that immediately upon issuance of the encroachment permit, the applicant is bound by, subject to, and must comply with the "Encroachment Permit General Provisions" (TR-0045), "Stormwater Special Provisions" (TR-0400). This include compliance with 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. 2022-033-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.

Biological Resources:

There are no critical habitats within the project area. With the avoidance and minimization measures listed below, no impacts are anticipated to any resources.

BIO-1: If any vegetation removal occurs during the nesting bird season (February 1-September 30), then a pre-construction survey by a qualified biologist must be conducted within 72 hours prior to the start of work. If any active nests are found, the qualified biologist will determine a no work buffer and if any resource agency coordination needs to occur.

Cultural/Paleontological Resources:

Following a review of this Encroachment Permit (#1225-6US-0736), please refer to the comments given below:

1. As proposed, there are no Cultural concerns for EP #1225-6US-0736, and Caltrans' 2024 Standard Specifications [Project Features (PF)] for Cultural Resources and Paleontological Resources below apply. Further review will be required if additional locations or activities are proposed.

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.*



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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; Senior Environmental Branch Chief (EBC), District Archaeologist and/or District Native American Coordinator (DNAC). 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.*

Hazardous Waste:

An ISA screening was completed by using the sites Geotracker, EnviroStor, and Well Finder. The results from these sites showed that there are no active/open cases in the vicinity of the SCE pole replacement.

For any permit work, District 12, Environmental Engineering requires the permittee to determine which of the two categories below apply and follow instructions accordingly.

1. If the proposed project results in minimal soil disturbance, the Permittee must reuse the soil within the work limits in the immediate area from which it was excavated. If any excess soil is generated, it becomes the property of the permittee. Permittee must transport all excess soil outside of Caltrans' right-of-way and dispose of it in accordance with all applicable environmental laws and regulations.

2. If the project involves more than minimal soil disturbance as described in item 1 above and excess soil is generated which cannot be reused within the work limits and needs to be transported off of the project site then Permittee shall comply with the following special provisions which are also specified in Form TR-0408, Appendix K of the Encroachment Permit Manual as follow:

- a) All construction debris/materials/water/excess soil must become the property of the Permittee, and must be transported and disposed of, outside of Caltrans' right-of-way, in accordance with all applicable environmental laws and regulations. The Permittee must be identified as the generator for all construction debris/materials/water/excess soil and must be responsible for proper identification (including sampling and analysis) and management of all construction and contaminated debris/materials/water/excess soil that are removed, and/or excavated, from the work site. If hazardous waste is generated, the Permittee must obtain an Environmental Protection Agency (EPA) Identification Number issued in their name. State Permit Inspector does not sign



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any manifests or shipping papers. The Permittee must be named as the generator on all Uniform Hazardous Waste Manifests and shipping papers. Caltrans must not be identified or written anywhere on the manifests or shipping papers. Prior to waste disposal, the Permittee should submit the waste generator form(s) to State Permit Inspector for verification. The Permittee must submit to the State Permit Inspector, a copy of all manifests and/or shipping papers generated for materials removed, transported and/or excavated from the state right-of-way.

- b) If contaminated material is encountered, Permittee is to stop work and contact the State Permit Inspector immediately. The Permittee must submit a Sampling and Analysis Plan (SAP), and a Health and Safety Plan (HaSP) prepared by a Certified Industrial Hygienist (CIH) and in conformance with California Code of Regulations title 8, section 5192, "Hazardous Waste Operations and Emergency Response" for sampling activity through a separate permit application. Upon the permit review, additional environmental documents may be required prior to resumption of construction activity.
- c) Permittee is responsible for any violation, penalty, enforcement action, corrective action, remedial action, and any other type of consequences resulting from cross contamination of groundwater (including perched groundwater), improper handling/managing of hazardous materials and/or placement of contaminated materials inside Caltrans right-of-way.
- d) It is the Permittee's responsibility to comply with the Department of Toxic Substances Control (DTSC) ADL requirements for roadway soil management. Reuse of soils containing greater than 80 mg/kg total lead is not allowed without written approval of the DTSC and Caltrans. The Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils between Caltrans and the DTSC does not constitute written approval for the Permittee to reuse soils containing greater than 80 mg/kg total lead.
- e) The Permittee must implement the emergency notification requirements established in the California Office of Emergency Management Hazardous Materials, Spill / Release Notification Guidance(<http://www.caloes.ca.gov/>).
- f) Any imported material used for back fill must be free of contamination, and a certificate of the material as "clean" with the source area of the material must be provided to Permit Inspector upon request. Importing soils containing greater than 80 mg/kg total lead for use in state right-of-way is not allowed. Stockpiles of material containing aerially deposited lead shall not be placed where affected by surface run-on or run-off. Stockpiles shall be covered with plastic sheeting 13 mils minimum thickness or with one foot of nonhazardous material. Stockpiles shall not be placed in environmentally sensitive areas. Stockpiled material shall not enter storm drains, inlets, or waters of the State.

Supporting Technical Studies/Memo

- Water Quality Technical Email (CT DEA, Salas/Cuevas, 10/2/2025)
- Natural Environmental Study (No Effect) (CT DEA, Erin Knight, 10/22/2025)
- Cultural Screening Memo (CT DEA, Victoria Stosel, 10/23/2025)
- Environmental Engineering Email (CT DEA, Lising/Caraig, 9/25/2025)

From: [Bernal, Judy@DOT](mailto:Bernal.Judy@DOT)
To: [Salas, Hector B@DOT](mailto:Salas.Hector.B@DOT)
Subject: RE: Encroachment Permit CE/CE Review Request: 1225-6US-0736 (SCE Applicant: SR-39 PM 7.59)-WQ Review
Date: Thursday, October 2, 2025 4:13:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

Great- thanks Hector!

Have a great weekend,

Judy Bernal

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

From: Salas, Hector B@DOT <hector.salas@dot.ca.gov>
Sent: Thursday, October 2, 2025 4:13 PM
To: Bernal, Judy@DOT <Judy.Bernal@dot.ca.gov>
Subject: RE: Encroachment Permit CE/CE Review Request: 1225-6US-0736 (SCE Applicant: SR-39 PM 7.59)-WQ Review

Judy,

I have no specific WQ comments on the Encroachment permit other than to include the following standard WQ language to cover CEQA/ NEPA:

The applicant understands and agrees that immediately upon issuance of the encroachment permit, the applicant is bound by, subject to, and must comply with the "Encroachment Permit General Provisions" (TR-0045), "Stormwater Special Provisions" (TR-0400). This include compliance with 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. 2022-033-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.

Let me know if you have any questions.

Thank you,

Hector B. Salas

Water Quality Specialist
NPDES/ Storm Water Unit
(949) 697- 0381

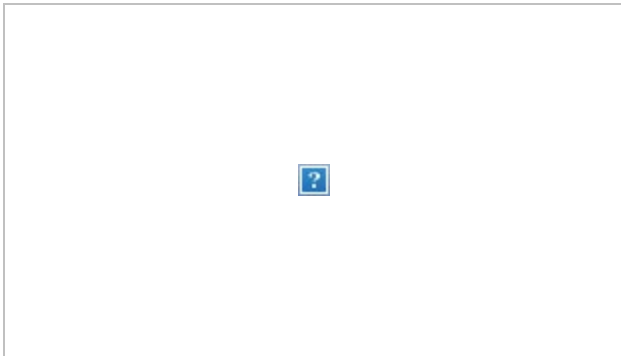
hector.salas@dot.ca.gov



[Chat with me in MS Teams](#)

Caltrans District 12 Division of Environmental Analysis

1750 East 4th Street, Suite 100
Santa Ana, CA 92705



From: Bernal, Judy@DOT <Judy.Bernal@dot.ca.gov>

Sent: Thursday, September 11, 2025 3:48 PM

To: Phung, Alben@DOT <Alben.Phung@dot.ca.gov>; Cuevas, Arvin Z@DOT <arvin.cuevas@dot.ca.gov>; Salas, Hector B@DOT <hector.salas@dot.ca.gov>; Caraig Jr, Ricardo R@DOT <ricardo.caraig@dot.ca.gov>

Cc: Deshpande, Smita R@DOT <smita.deshpande@dot.ca.gov>

Subject: Encroachment Permit CE/CE Review Request: 1225-6US-0736 (SCE Applicant: SR-39 PM 7.59)- DUE 10/3/25

Hello Everyone,

This request is for a CE/CE Review for EP 1225-6US-0736. Southern California Edison (SCE) project TD2246774, proposes to replace one (1) wood transmission pole in the City of Westminster, California on State Route 39 [PM 7.59]. The pole replacement will be same-set pole along the sidewalk of Beach Blvd in the state ROW. Below is the project information folder:

Folder: <R:\Routes\Encroachment Permits\2025\SR-39\1225-6US-0736 SCE Pole Replacement>

[\(Westminster\)\120 Project Description](#)



Charging information:

Please complete your reviews by **Friday, October 3, 2025** or let me know if you need more time.

Thank you,

Judy Bernal

Associate Environmental Planner, Archaeologist/Generalist

Environmental Analysis, Specialist Branch

California Department of Transportation, District 12

Mobile: (949) 279-8741

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

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).

1 EA/E-FIS# or Federal Project # (FPN): 12-25-6-US-0736

2 Project Title: Encroachment Permit – Southern California Edison (SCE)

3 Location: 12-ORA-39 PM 7.598, City of Westminster

4 Project Description: The Proposed Project consists of the removal and replacement of one (1) transmission pole (#848966E). The Proposed Project is located along the east side of Beach Boulevard, approximately 140 feet south of Westminster Boulevard. Ground disturbance for the wood pole removal would include excavation by truck-mounted auger and/or backhoe measuring approximately 2-3 feet in diameter and approximately 7-11 feet deep. Work activities would generally take place within a 50-foot buffer around the pole. The work area is accessible via the roadside of Beach Boulevard Street. No vegetation removal would be required. Traffic and pedestrian control may be required.

5 Project Setting: This project is located within a fully developed area of Orange County. Surrounding land use includes businesses and residential areas. This pole is located within the sidewalk adjacent to SR-39. There is one patch of ornamental vegetation nearby but this vegetation will not be impacted by project activities. There are no natural communities or critical habitats within or adjacent to the project area. There is one watercourse near the project area, the Westminster Channel. No project activities are proposed that would impact this channel.

No biological resources are anticipated to be impacted by this project.

6 Methods Used: Aerial photographs, California Natural Diversity Database (CNDDB) (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:

Required Avoidance Measures:

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.

10 Preparer: Erin Knight

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

Caltrans Senior Environmental Scientist Approval:



Date: 10/22/25

EA/E-FIS# or Federal Project # (FPN): 12-25-6-US-0736

Additional Instructions for District 12 NES - No Effects Technical Memorandum.

Projects that do not qualify under this No Effects Technical Memorandum (memo) include those that impact species or their habitat, wetlands, waters of the US, and/or wildlife corridors, and/or natural communities.

Project Description shall define included/excluded actions in adequate detail to understand the range of potential effects when/if changes are made. The date, source, county/route/postmile, EA, E-FIS project number, Federal ID number and other standard information must be included within the Project Description or elsewhere in the memo. The Project Description may be a dated attachment to this memo but said attachment must be referenced in the memo including the date and project EA/E-FIS or FPN.

Methods used shall include a list of searches conducted and shall include an Endangered Species Act (ESA) list review that is less than 120 days old and a description of how the project was assessed to ensure that there is no impact or very minor impacts to biological resources that can be avoided using appropriate avoidance measures as listed in the memo. Indicate whether a field review or windshield survey was conducted.

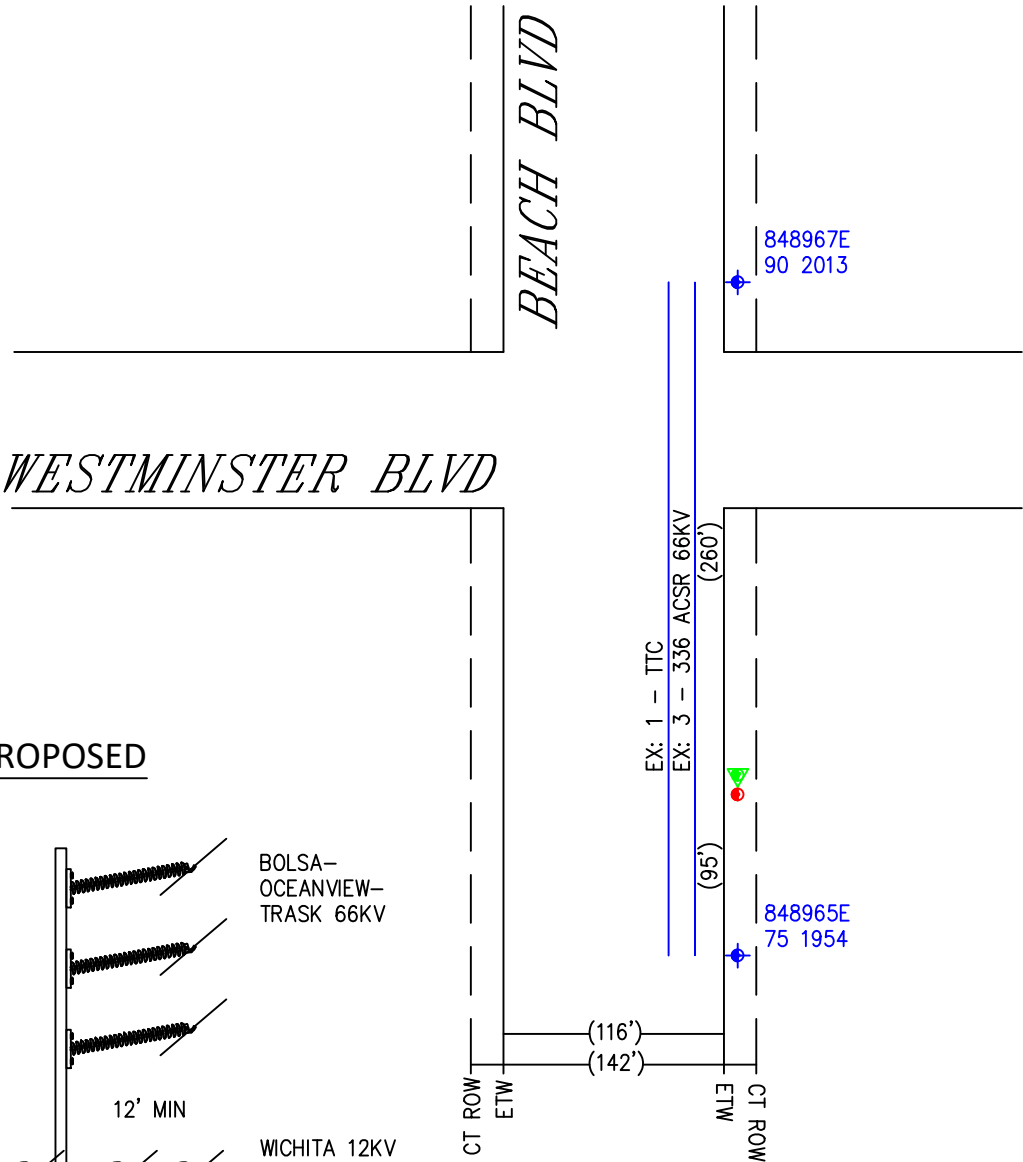
Required attachments for D-12 No Effects Technical Memorandum:

- 1 - Project Area Map or Plans.
- 2 - PES form for LOA projects
- 3 - CNDDDB query
- 4 - USFWS and NMFS species lists

NOTES:
-LOADCASE: LIGHT, 8#, GRADE A
-HARD SET SOUTH
-E TO PTD
-PTC REQ.
-TRAFFIC CONTROL REQ.
-CAL TRANS PERMIT REQ.
-CONCRETE REPAIR 5X5
-SIMPLE TTC TRANSFER
-COMM UA, TO BECOME JOINT OWNER W/ A GRADE & SPACE OF 26-1 (ATS)
-RECOMMEND TO ADJUST CATV GRADE & SPACE FROM 25-7 TO 25-1 (TWS)
-ASSOCIATED UNDERBUILD WO IS TD2252637

TRANSFERS:
3 - 336 ACSR 66KV
1 - COMM W/ MESS (TTC)
1 - COMM XARM W/ MESS (ATS)(UA)
1 - CATV W/MESS (TWS)
1 - COMM ADSS FIBER (HSO)

BOLSA-OCEANVIEW-TRASK 66KV



1
RM: 848966E
1954

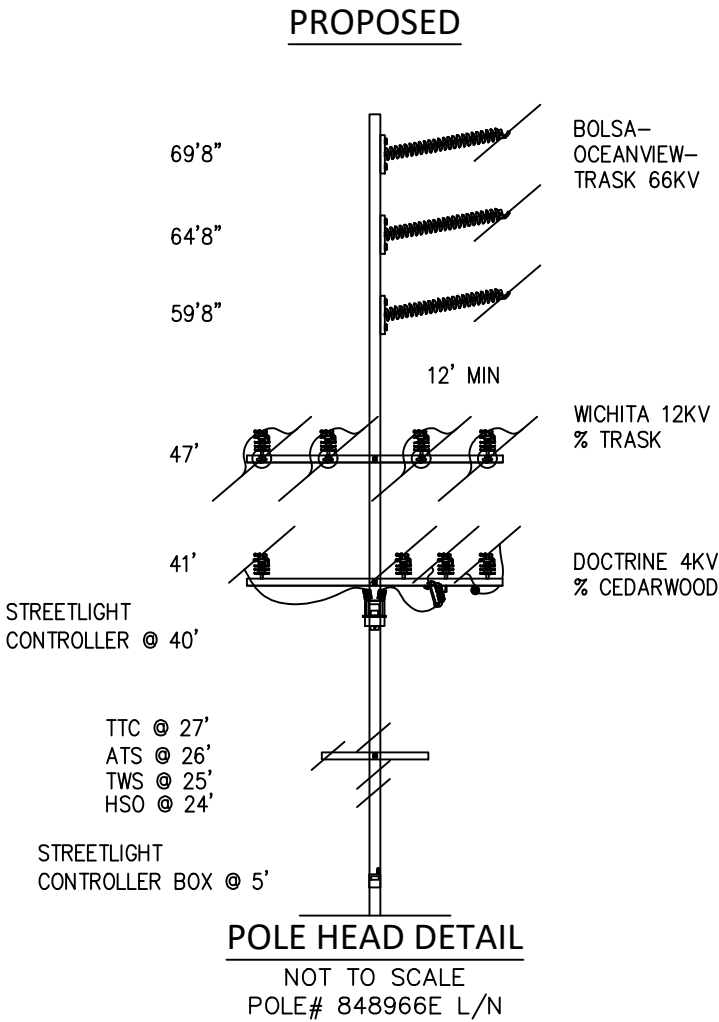
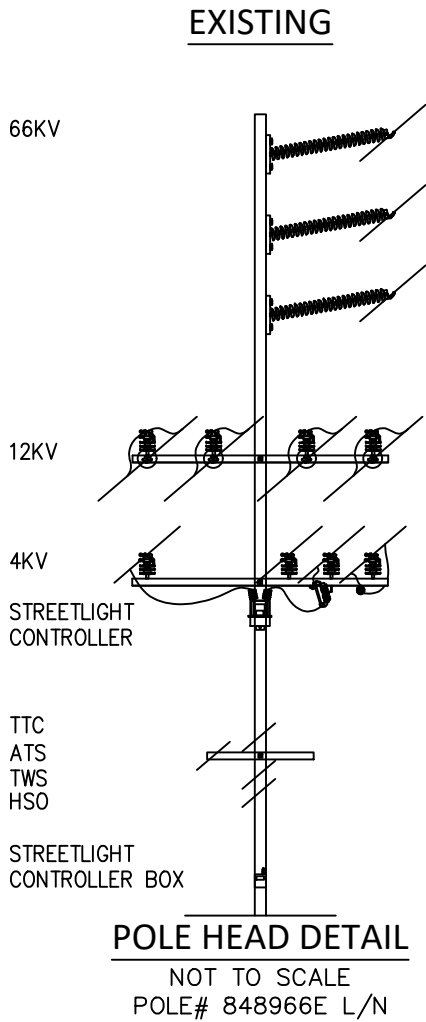
RM: 1 - P-80-WD-C2-1

GPS: N33°45'31.61"
W117°59'21.98"
ELEV: 42'

NO HFRA

2
IN: 848966E

IN: 1 - P-80-WD-H1-1
IN: 1 - PHD-326.66.1
EI: 3 - INS-PST-PLY-66-1
EI: 3 - CC-PST-336-ACSR
IN: 1 - GNCU-UOW55



PROJECT REQUIREMENTS (Y/N)	
EDISON EASEMENT REQUIRED	☐
PERMIT REQUIRED	☒
PERMIT TYPE: CAL TRANS	
TRAFFIC CONTROL	
TRAFFIC CONTROL	☒
PED. TRAFFIC CONTROL REQ'D	☒
HFRA TIER: N/A	
PAVEMENT REPAIR ASPH/CONC	☒
ENV REQUIREMENT DOC (ERD) REQ'D	☒
FAA PERMITS	☐
TRANS TELECOM "TTC"	☒

PROJ #	2823166	ESTIMATOR	LEDESMA, JACOB EDWARD	PHONE	626-221-3102	J.P.A. NO.	E4805-414432895
GRID	ORANGE	THOMAS BROS.		INVENTORY MAP	MT-0835-A	SAP ORDER	2246774
DISTRICT	33 - HUNTINGTON BEACH	PRODUCT/MAT	2246774 - 14F POLE DETERIORATED OH IR REPL				
LINE 1	ET-00457-Bolsa-Oceanview-Trask-NON-ISO	LINE VOLTAGE	66 kV				
LINE 2		LINE VOLTAGE					
LINE 3		LINE VOLTAGE					
				PROPOSED CONSTRUCTION (LOCATION)			
				TRANSMISSION DET POLE REPLACEMENT			
				BEACH BLVD E/S 150' S/O WESTMINSTER BLVD			
				WESTMINSTER, CA			
REV.	APPROVED BY	DATE	CHECKED BY	DRAWN BY	DATE	SHEET	DESIGN NO.
						1 OF 1	1717868_0.01
SOUTHERN CALIFORNIA EDISON COMPANY							



NOT TO SCALE



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



Query Criteria: Quad IS (Anaheim (3311778))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
American bumble bee <i>Bombus pensylvanicus</i>	IIHYM24260	None	None	G3G4	S2	
California black rail <i>Laterallus jamaicensis coturniculus</i>	ABNME03041	None	Threatened	G3T1	S2	FP
chaparral sand-verbena <i>Abronia villosa</i> var. <i>aurita</i>	PDNYC010P1	None	None	G5T2?	S2	1B.1
coast horned lizard <i>Phrynosoma blainvillii</i>	ARACF12100	None	None	G4	S4	SSC
coastal California gnatcatcher <i>Polioptila californica californica</i>	ABPB08081	Threatened	None	G4G5T3Q	S2	SSC
Crotch's bumble bee <i>Bombus crotchii</i>	IIHYM24480	None	Candidate Endangered	G2	S2	
Gambel's water cress <i>Nasturtium gambelii</i>	PDBRA270V0	Endangered	Threatened	G1	S1	1B.1
Horn's milk-vetch <i>Astragalus hornii</i> var. <i>hornii</i>	PDFAB0F421	None	None	GUT1	S1	1B.1
Parish's brittlescale <i>Atriplex parishii</i>	PDCHE041D0	None	None	G1G2	S1	1B.1
quino checkerspot butterfly <i>Euphydryas editha quino</i>	IILEPK405L	Endangered	Candidate Endangered	G4G5T1T2	S1S2	
salt spring checkerbloom <i>Sidalcea neomexicana</i>	PDMAL110J0	None	None	G4	S2	2B.2
San Bernardino aster <i>Symphyotrichum defoliatum</i>	PDASTE80C0	None	None	G2	S2	1B.2
Southern California legless lizard <i>Anniella stebbinsi</i>	ARACC01060	None	None	G3	S3	SSC
southern tarplant <i>Centromadia parryi</i> ssp. <i>australis</i>	PDAST4R0P4	None	None	G3T2	S2	1B.1
steelhead - southern California DPS <i>Oncorhynchus mykiss irideus</i> pop. 10	AFCHA0209J	Endangered	Endangered	G5T1Q	S1	
Swainson's hawk <i>Buteo swainsoni</i>	ABNKC19070	None	Threatened	G5	S4	
western mastiff bat <i>Eumops perotis californicus</i>	AMACD02011	None	None	G4G5T4	S3S4	SSC
western spadefoot <i>Spea hammondi</i>	AAABF02020	Proposed Threatened	None	G2G3	S3S4	SSC
western yellow-billed cuckoo <i>Coccyzus americanus occidentalis</i>	ABNRB02022	Threatened	Endangered	G5T2T3	S1	

Record Count: 19

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 species¹ 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 Fisheries²).

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:

Birds

NAME	STATUS
Coastal California Gnatcatcher <i>Poliioptila californica californica</i> Wherever found There is final critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/8178	Threatened

Reptiles

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

Amphibians

NAME	STATUS
Western Spadefoot <i>Spea hammondi</i> No critical habitat has been designated for this species.	Proposed Threatened

Insects

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

Flowering Plants

NAME	STATUS
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Nevin's Barberry *Berberis nevinii***Endangered**

Wherever found

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

<https://ecos.fws.gov/ecp/species/8025>

Ventura Marsh Milk-vetch *Astragalus pycnostachyus* var.**Endangered***lanosissimus*

Wherever found

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

<https://ecos.fws.gov/ecp/species/1160>

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 habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

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>

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

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

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

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

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

Breeding Season (■)

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

Survey Effort (|)

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

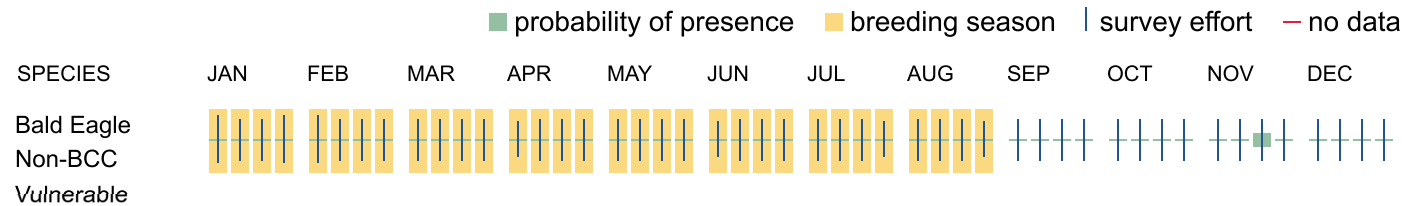
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

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

Survey Timeframe

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



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) ¹ 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 (Service).

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>

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases [birds of concern](#), including [Birds of Conservation Concern \(BCC\)](#), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the [Nationwide avoidance and minimization measures for birds](#) document, and any other project-specific avoidance and minimization measures suggested at the link [Measures for avoiding and minimizing impacts to birds](#) for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles document](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Allen's Hummingbird <i>Selasphorus sasin</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9637	Breeds Feb 1 to Jul 15
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Jan 1 to Aug 31

Belding's Savannah Sparrow <i>Passerculus sandwichensis beldingi</i>	Breeds Apr 1 to Aug 15
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/8	
Black Oystercatcher <i>Haematopus bachmani</i>	Breeds Apr 15 to Oct 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9591	
Black Skimmer <i>Rynchops niger</i>	Breeds May 20 to Sep 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/5234	
Black Swift <i>Cypseloides niger</i>	Breeds Jun 15 to Sep 10
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8878	
Black Tern <i>Chlidonias niger surinamensis</i>	Breeds May 15 to Aug 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/3093	
Black Turnstone <i>Arenaria melanocephala</i>	Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
Brandt's Cormorant <i>Urile penicillatus</i>	Breeds Apr 15 to Sep 15
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
Bullock's Oriole <i>Icterus bullockii</i>	Breeds Mar 21 to Jul 25
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	
California Gull <i>Larus californicus</i>	Breeds Mar 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	

California Thrasher <i>Toxostoma redivivum</i>	Breeds Jan 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
Clark's Grebe <i>Aechmophorus clarkii</i>	Breeds Jun 1 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
Common Yellowthroat <i>Geothlypis trichas sinuosa</i>	Breeds May 20 to Jul 31
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	
https://ecos.fws.gov/ecp/species/2084	
Elegant Tern <i>Thalasseus elegans</i>	Breeds Apr 5 to Aug 5
This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA	
https://ecos.fws.gov/ecp/species/8561	
Gull-billed Tern <i>Gelochelidon nilotica</i>	Breeds May 1 to Jul 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9501	
Heermann's Gull <i>Larus heermanni</i>	Breeds Mar 15 to Aug 31
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
Lawrence's Goldfinch <i>Spinus lawrencei</i>	Breeds Mar 20 to Sep 20
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9464	
Marbled Godwit <i>Limosa fedoa</i>	Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/9481	
Mountain Plover <i>Charadrius montanus</i>	Breeds elsewhere
This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	
https://ecos.fws.gov/ecp/species/3638	

Northern Harrier *Circus hudsonius*

Breeds Apr 1 to Sep 15

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

<https://ecos.fws.gov/ecp/species/8350>

Nuttall's Woodpecker *Dryobates nuttallii*

Breeds Apr 1 to Jul 20

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

<https://ecos.fws.gov/ecp/species/9410>

Olive-sided Flycatcher *Contopus cooperi*

Breeds May 20 to Aug 31

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

<https://ecos.fws.gov/ecp/species/3914>

Red Knot *Calidris canutus roselaari*

Breeds elsewhere

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

<https://ecos.fws.gov/ecp/species/8880>

Santa Barbara Song Sparrow *Melospiza melodia graminea*

Breeds Mar 1 to Sep 5

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

<https://ecos.fws.gov/ecp/species/5513>

Short-billed Dowitcher *Limnodromus griseus*

Breeds elsewhere

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

<https://ecos.fws.gov/ecp/species/9480>

Tricolored Blackbird *Agelaius tricolor*

Breeds Mar 15 to Aug 10

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

<https://ecos.fws.gov/ecp/species/3910>

Western Grebe *aechmophorus occidentalis*

Breeds Jun 1 to Aug 31

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

<https://ecos.fws.gov/ecp/species/6743>

Western Gull *Larus occidentalis***Breeds Apr 21 to Aug 25**

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

Willet *Tringa semipalmata***Breeds elsewhere**

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

Wrentit *Chamaea fasciata***Breeds Mar 15 to Aug 10**

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

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

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

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

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

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

Breeding Season (■)

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

Survey Effort (|)

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

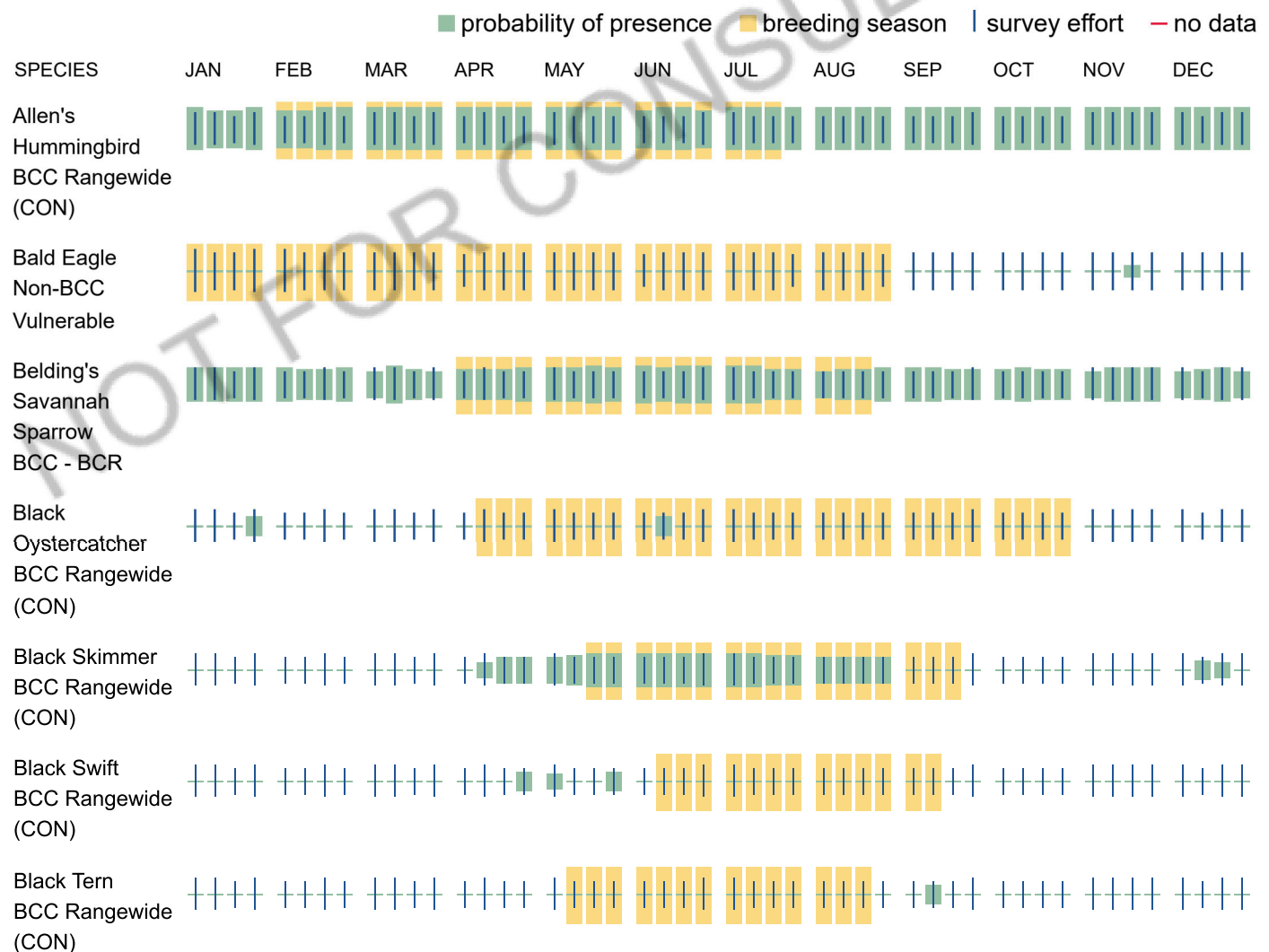
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

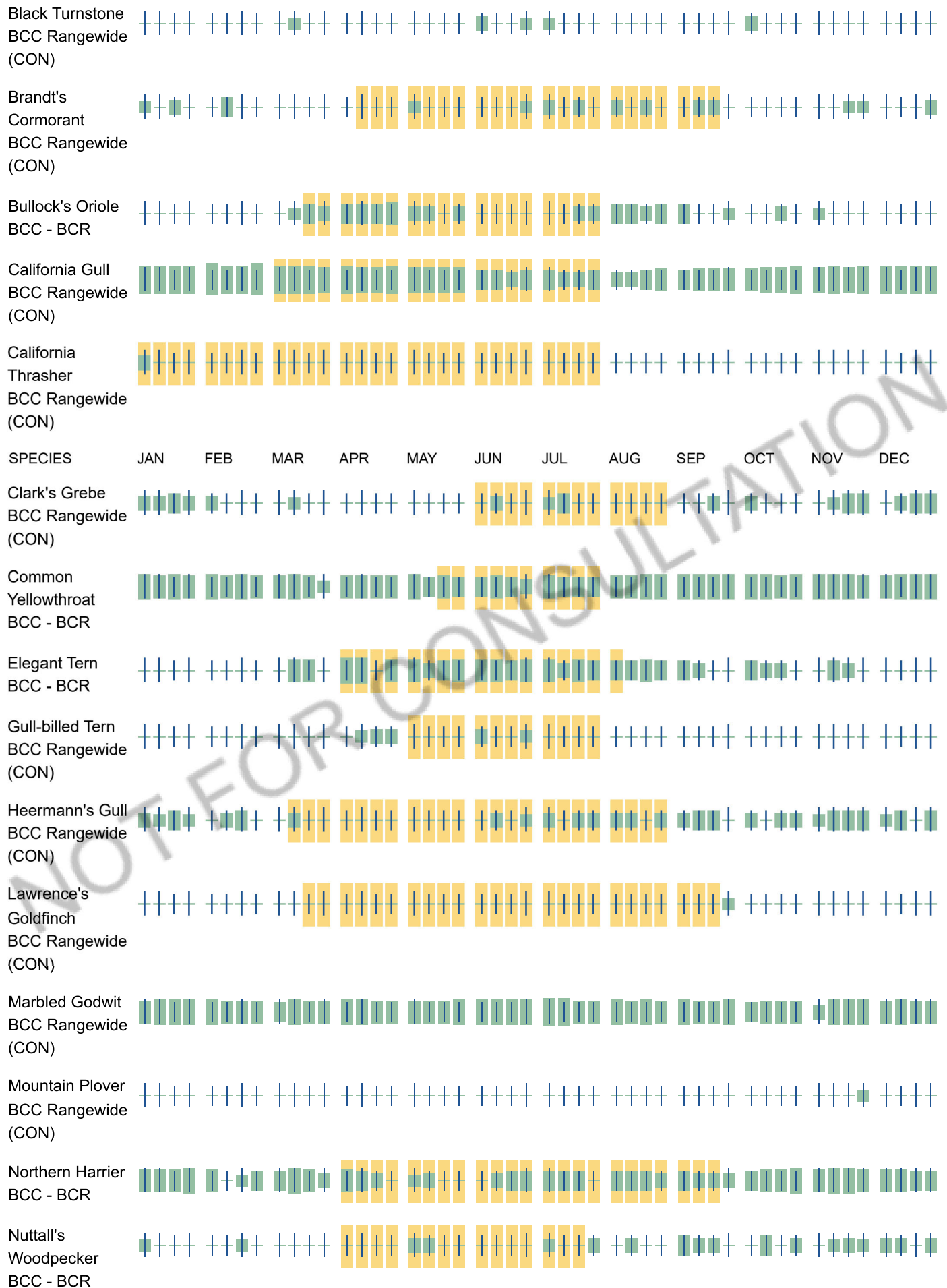
No Data (—)

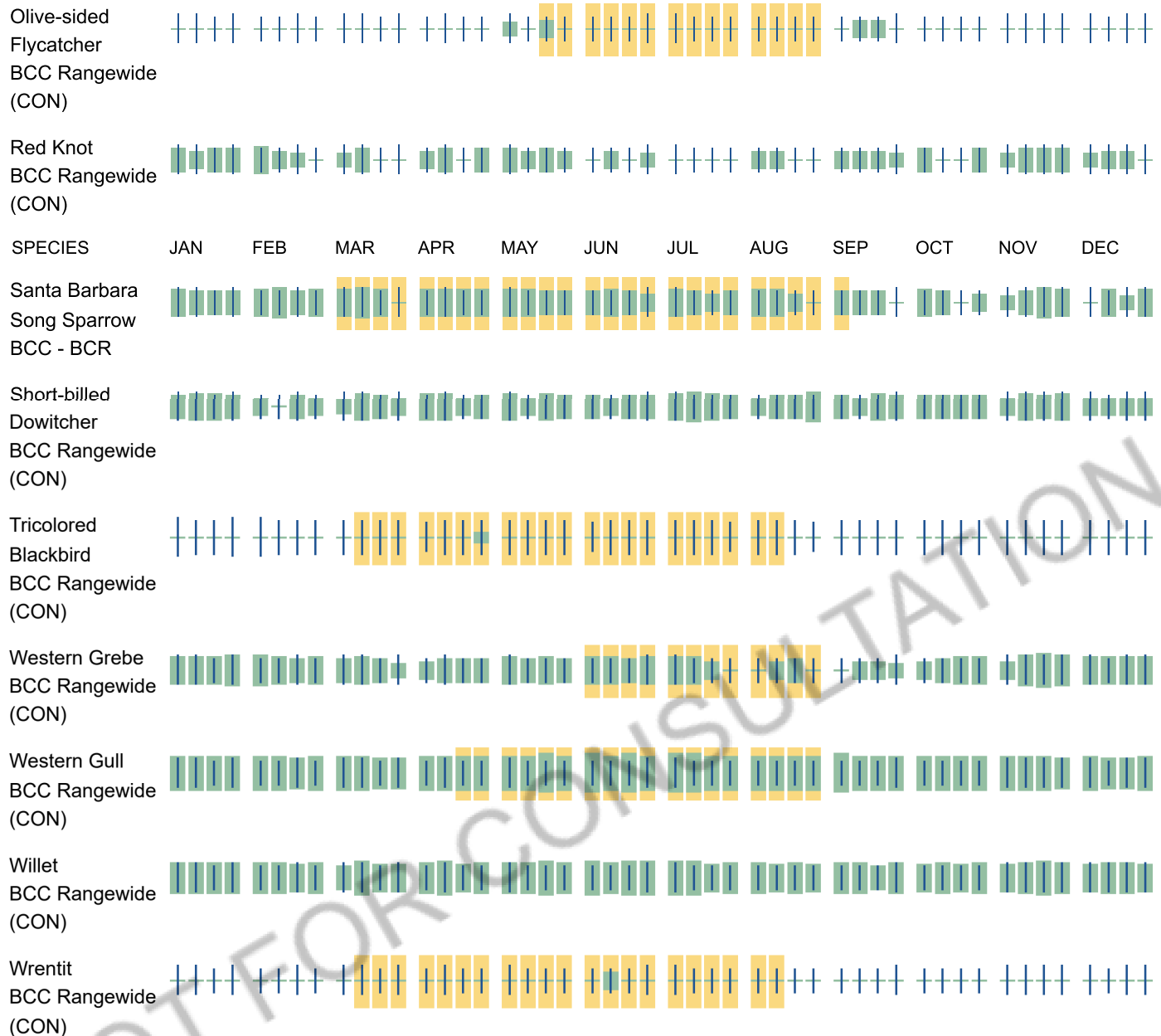
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

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







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

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

There are no refuge lands at this location.

Fish hatcheries

There are no fish hatcheries at this location.

Wetlands in the National Wetlands Inventory (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](#).

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

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.

NOT FOR CONSULTATION

Quad Name **Anaheim**

Quad Number 33117-G8

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

MMPA Cetaceans -

MMPA Pinnipeds -

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DEPARTMENT OF TRANSPORTATION

Memorandum



*Making Conservation
a California Way of Life*

TO: JUDY BERNAL
Environmental Division, Generalist
1750 E. 4th St. Suite 100
Santa Ana, CA 92705
District 12

Date: October 23, 2025
Southern California Edison

File: ORA- 39 PM 7.59
Permit Number: 12 25 6 US 0736

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

Subject: Section 106 Screened Undertaking Memo & Paleo Review for Southern California Edison (SCE) (Encroachment Permit Application 12-25-6-US-0736) ORA-39 PM 7.59 in the City of Westminster, Orange County, California

The Encroachment Permit Application was signed on September 8, 2025. The Encroachment Permit Application proposes to replace a deteriorated transmission pole (848966E) and is requesting traffic control SR-39, PM 7.59. The work is located in the City of Westminster (ORA-39 PM 7.59).

Project Description:

Based on the request in the Encroachment Permit, dated September 8, 2025, Southern California Edison (SCE) proposes the following work within the Caltrans Right-of-Way: to replace a deteriorated transmission pole (848966E) in the same location as the existing pole. Proposed excavation for the pole is a maximum 120 inches, a minimum of 120 inches, an average width of 36 inches with a length of three feet. The pole (848966E) is located 7 feet from the edge of traveled way (ETA) within the State Right of Way.

Screened Undertaking Classification: The studies for this undertaking were carried out in a manner consistent with Caltrans regulatory responsibilities under Section 106 of the National Historic Preservation Act (36 CFR Part 800) and pursuant to the December 6, 2024 *Programmatic Agreement Among the Federal Highway Administration, 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* (Section 106 PA).

The Provisions of the Section 106 PA, Appendix 2 have been applied to this project. This project falls under Class 6, "Minor utility installation, maintenance, or relocation,"; and Class 11, "Modification of existing features, such as slopes, ditches, curbs, sidewalks, driveways, dikes, or headwalls, within or adjacent to the right of way."

Cultural Review- The cultural resources review was performed by Professionally Qualified Staff (PQS) Victoria Stosel, Principal Investigator Prehistorical Archaeology, and included a review of the CCRD, aerial photography, and the Design Standard Decision Document for Utility Pole Work (prepared by David A. Stuetzel P.E. Westland Group, Inc.). Based on this review, the undertaking, as currently proposed, has no potential to affect Historic Properties eligible for or listed on the National Register of Historic Places.

Paleontological Review – The Project area was reviewed using the Caltrans GIS Database, and Paleobiology Database (accessed 10-20-2025). Based the proposed work location on SR-39 (PM 7.59) is within the following deposit: young alluvial deposits undivided. The age of the deposit dates to the late Pleistocene and Holocene with a Potential Fossil Yield Classification of 2 (low). Based on the proposed scope and scale of the project and the minimal ground disturbance the project has a low potential to impact significant paleontological resources.

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@dot.ca.gov with any questions you may have regarding these comments.

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

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Transportation Air Quality Conformity Findings Checklist

PROJECT INFORMATION

Project Name: Encroachment Permit 12-25-6-US-0736 (SCE Pole Replacement)

DIST-CO-RTE-PM: 12-ORA-39-7.59

EA: N/A **Federal Aid Number:** N/A

Document Type: ☒ 23 USC 326 CE ☐ 23 USC 327 CE ☐ EA ☐ EIS

CHECKLIST

Step 1. Is the project located in a nonattainment or maintenance area for ozone, nitrogen dioxide, carbon monoxide (CO), PM_{2.5}, or PM₁₀ per [EPA's Green Book](#) listing of non-attainment areas?

☐ If no, go to Step 18. **Transportation conformity does not apply to the project.**

☒ If yes, go to Step 2.

Step 2. Is the project exempt from conformity per [40 CFR 93.126](#) or [40 CFR 93.128](#)?

☒ If yes, go to Step 18. **The project is exempt from all project-level conformity requirements (40 CFR 93.126 or 128)** (check one box below and identify the project type, if applicable).

☒ 40 CFR 93.126¹

Project type from Table 2: Safety – Lighting Improvements (only a SCE pole replacement)

☐ 40 CFR 93.128

☐ If no, **go** to Step 3.

Step 3. Is the project exempt from regional conformity per [40 CFR 93.127](#)?

☐ If yes, go to Step 8. **The project is exempt from regional conformity requirements (40 CFR 93.127)** (identify the project type).

Project type: _____

☐ If no, go to Step 4.

Step 4. Is the project located in a region with a currently conforming RTP and TIP?

☐ If yes, **the project is included in a currently conforming RTP and TIP per 40 CFR 93.115. The project's design and scope have not changed significantly from what was assumed in RTP conformity analysis (40 CFR 93.115[b])** Go to Step 8.

☐ If no and the project is located in an isolated rural area, go to Step 5.

☐ If no and the project is not located in an isolated rural area, STOP and do not proceed until a conforming RTP and TIP are adopted.

¹ Please refer to [Clarifications on Exempt Project Determinations](#) to verify exempt project type from Table 2. Road diets, auxiliary lanes less than one-mile, and ramp metering may be exempt under "projects that correct, improve, or eliminate a hazardous location or feature."

Step 5. For isolated rural areas, is the project regionally significant per 40 CFR 93.101, based on review by Interagency Consultation?

- ☐ If yes, go to Step 6.
- ☐ If no, go to Step 8. **The project, located in an isolated rural area, is not regionally significant and does not require a regional emissions analysis (40 CFR 93.101 and 93.109[e]).**

Step 6. Is the project included in another regional conformity analysis that meets the isolated rural area analysis requirements per 40 CFR 93.109, including Interagency Consultation and public involvement?

- ☐ If yes, go to Step 8. **The project, located in an isolated rural area, has met its regional analysis requirements through inclusion in a previously-approved regional conformity analysis that meets current requirements (40 CFR 93.109[e]).**
- ☐ If no, go to Step 7.

Step 7. The project, located in an isolated rural area, requires a separate regional emissions analysis.

- ☐ **Regional emissions analysis for regionally significant project, located in an isolated rural area, is complete. Regional conformity analysis was conducted that includes the project and reasonably foreseeable regionally significant projects for at least 20 years. Interagency Consultation and public participation were conducted. Based on the analysis, the interim or emission budget conformity tests applicable to the area are met (40 CFR 93.109[e] and 95.105).² Go to Step 8.**

Step 8. Is the project located in a CO nonattainment or maintenance area? (South Coast Air Basin only)

- ☐ If no, go to Step 9. **CO conformity analysis is not required.**
- ☐ If yes, **hot-spot analysis requirements for CO per the [CO Protocol](#) (or per EPA's modeling guidance, CAL3QHCR can be used with EMFAC emission factors³) have been met. Project will not cause or contribute to a new localized CO violation (40 CFR 93.116 and 93.123)⁴. Go to Step 9.**

Step 9. Is the project located in a PM₁₀ and/or a PM_{2.5} nonattainment or maintenance area?

- ☐ If no, go to Step 13. **PM_{2.5}/PM₁₀ conformity analysis is not required.**
- ☐ If yes, go to Step 10.

² The analysis must support this conclusion before going to the next step.

³ Use of the CO Protocol is strongly recommended due to its use of screening methods to minimize the need for modeling. When modeling is needed, the Protocol simplifies the modeling approach. Use of CAL3QHCR must follow U.S. EPA's latest CO hot spot guidance, using EMFAC instead of MOVES; see: <http://www.epa.gov/otaq/stateresources/transconf/projectlevel-hotspot.htm#co-hotspot>.

⁴ As of October 1, 2007, there are no CO nonattainment areas in California. Therefore, the requirements to not worsen existing violations and to reduce/eliminate existing violations do not apply.

Step 10. Is the project considered to be a Project of Air Quality Concern (POAQC), as described in EPA's [Transportation Conformity Guidance](#) for PM 10 and PM 2.5?

- ☐ If no, **the project is not a project of concern for PM10 and/or PM2.5 hot-spot analysis based on 40 CFR 93.116 and 93.123 and EPA's Hot-Spot Analysis Guidance. Interagency Consultation concurred with this determination on _____. Go to Step 12.**
- ☐ If yes, go to Step 11.

Step 11. The project is a POAQC.

- ☐ **The project is a project of concern for PM10 and/or PM2.5 hot-spot analysis based on 40 CFR 93.116 and 93.123, and EPA's Hot-Spot Guidance. Interagency Consultation concurred with this determination on _____. Detailed PM hot-spot analysis, consistent with 40 CFR 93.116 and 93.123 and EPA's Hot-Spot Guidance, shows that the project would not cause or contribute to, or worsen, any new localized violation of PM10 and/or PM2.5 standards. Go to Step 12.**

Step 12. Does the approved PM SIP include any PM10 and/or PM2.5 control measures that apply to the project, and has a written commitment been made as part of the air quality analysis to implement the identified SIP control measures? [Control measures can be found in the applicable Federal Register notice at: <https://www.epa.gov/state-and-local-transportation/conformity-adequacy-review-region-9#ca>.]

- ☐ If yes, **a written commitment is made to implement the identified SIP control measures for PM10 and/or PM2.5 through construction or operation of this project (40 CFR 93.117). Go to Step 14.**
- ☐ If no, go to Step 13.

Step 13a. Have project-level mitigation or control measures for CO, PM10, and/or PM2.5, included as part of the project's design concept and scope, been identified as a condition of the RTP or TIP conformity determination? AND/OR

Step 13b. Are project-level mitigation or control measures for CO, PM10, and/or PM2.5 included in the project's NEPA document? AND

Step 13c (applies only if Step 13a and/or 13b are answered "yes"). Has a written commitment been made as part of the air quality analysis to implement the identified measures?

- ☐ If yes to 13a and/or 13b and 13c, **a written commitment is made to implement the identified mitigation or control measures for CO, PM10, and/or PM2.5 through construction or operation of this project. These mitigation or control measures are identified in the project's NEPA document and/or as conditions of the RTP or TIP conformity determination (40 CFR 93.125(a)). Go to Step 14.**
- ☐ If no, go to Step 14.

Step 14. Does the project qualify for a Categorical Exclusion pursuant to 23 USC 326?

- ☐ If yes, go to step 15.
- ☐ If no, the project requires preparation of a Categorical Exclusion, EA, or EIS pursuant to 23 USC 327. Go to Step 16.

Step 15. Is any analysis required by steps 1-13 of this form?⁵

- ☐ If yes, then Caltrans prepares the appropriate analysis and documentation for the project file and makes the conformity determination through its signature on the CE form. No FHWA involvement is required. See the AQCA Annotated Outline. Go to Step 18.
- ☐ If no, then Caltrans makes the conformity determination through its signature on the CE form. No FHWA involvement is required. Go to Step 18.

Step 16. Is the project located in a non-attainment/maintenance area for **ozone only and considered not regionally significant/non-exempt?**

- ☐ If yes, go to Step 18.⁶
- ☐ If no, then **an AQCA is needed**. See the AQCA Annotated Outline. Caltrans submits a conformity determination request to FHWA for FHWA's conformity determination. Go to Step 17.

Step 17. Send FHWA Request for Conformity Determination package and [FHWA Submittal Package Checklist](#) to DOTP- Air Quality (rodney.tavitas@dot.ca.gov) and DEA-Air Quality (daisy.laurino@dot.ca.gov) for completeness review. Please direct technical questions to DOTP-Air Quality office. Headquarters staff will coordinate with FHWA on behalf of the district.

Date of FHWA air quality conformity determination: _____

Step 18. STOP as all air quality conformity requirements have been met.

SIGNATURE

Ronnel Lising

Transportation Engineer (Civil)



Signature

9/25/2025

Date

⁵ Please note that not all projects that qualify for a categorical exclusion will be exempt from air quality conformity requirements. Many types of projects that may qualify for a CE (such as the addition of auxiliary lanes less than one-mile, weaving lanes less than one-mile, turning lanes less than one-mile, climbing lanes less than one-mile, parking, road diets, ramp metering, and even many bridge projects) MAY require some level of project level conformity analysis and may even require interagency consultation. Additionally, please note that for ALL projects the project file must include evidence that one of the three following situations apply: 1) Conformity does not apply to the project area; or 2) The project is exempt from all conformity analysis requirements; or 3) The project is subject to project-level conformity analysis (and possibly regional conformity analysis) and meets the criteria for a conformity determination. The project file must include all supporting documentation and this checklist.

⁶ Project-level conformity analysis shows that the project will conform to the State Implementation Plan. Because the project area is Attainment/Unclassified for carbon monoxide (CO) and particulate matter (PM10 and PM2.5), no hot spot analysis is required for the project-level conformity determination by 40 CFR 93.116 and 93.123. The project comes from a conforming Regional Transportation Plan (RTP) and Transportation Improvement Program (TIP). Include documentation of interagency consultation review in the final CE/EA/EIS, if applicable.

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: September 25, 2025

File: 12-ORA-39
PM 7.59
12-25-6-US-0736

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

Subject: **ENCROACHMENT PERMIT REVIEW (TD2246774)**

This is in response to your request to review the Encroachment Permit for the Proposed Project located on the Bolsa-Oceanview-Trask 66kV distribution line in the City of Westminster, Orange County, California. The Proposed Project consists of the removal and replacement of one (1) transmission pole. The existing and replacement poles would have an AGL height of 80 feet. The Proposed Project is located along the east side of Beach Boulevard, approximately 140 feet southwest of Westminster Boulevard.

Our comments are as follows:

Hazardous Waste

An ISA screening was completed by using the sites Geotracker, EnviroStor, and Well Finder. The results from these sites showed that there are no active/open cases in the vicinity of the SCE pole replacement.

For any permit work, District 12, Environmental Engineering requires the permittee to determine which of the two categories below apply and follow instructions accordingly.

1. If the proposed project results in minimal soil disturbance, the Permittee must reuse the soil within the work limits in the immediate area from which it was excavated. If any excess soil is generated, it becomes the property

of the permittee. Permittee must transport all excess soil outside of Caltrans' right-of-way and dispose of it in accordance with all applicable environmental laws and regulations.

2. If the project involves more than minimal soil disturbance as described in item 1 above and excess soil is generated which cannot be reused within the work limits and needs to be transported off of the project site then Permittee shall comply with the following special provisions which are also specified in Form TR-0408, Appendix K of the Encroachment Permit Manual as follow:
 - a. All construction debris/materials/water/excess soil must become the property of the Permittee, and must be transported and disposed of, outside of Caltrans' right-of-way, in accordance with all applicable environmental laws and regulations. The Permittee must be identified as the generator for all construction debris/materials/water/excess soil and must be responsible for proper identification (including sampling and analysis) and management of all construction and contaminated debris/materials/water/excess soil that are removed, and/or excavated, from the work site. If hazardous waste is generated, the Permittee must obtain an Environmental Protection Agency (EPA) Identification Number issued in their name. State Permit Inspector does not sign any manifests or shipping papers. The Permittee must be named as the generator on all Uniform Hazardous Waste Manifests and shipping papers. Caltrans must not be identified or written anywhere on the manifests or shipping papers. Prior to waste disposal, the Permittee should submit the waste generator form(s) to State Permit Inspector for verification. The Permittee must submit to the State Permit Inspector, a copy of all manifests and/or shipping papers generated for materials removed, transported and/or excavated from the state right-of-way.
 - b. If contaminated material is encountered, Permittee is to stop work and contact the State Permit Inspector immediately. The Permittee must submit a Sampling and Analysis Plan (SAP), and a Health and Safety Plan (HaSP) prepared by a Certified Industrial Hygienist (CIH) and in conformance with California Code of Regulations title 8, section 5192, "Hazardous Waste Operations and Emergency Response" for sampling activity through a separate permit application. Upon the permit review, additional environmental documents may be required prior to resumption of construction activity.

- c. Permittee is responsible for any violation, penalty, enforcement action, corrective action, remedial action, and any other type of consequences resulting from cross contamination of groundwater (including perched groundwater), improper handling/managing of hazardous materials and/or placement of contaminated materials inside Caltrans right-of-way.
- d. It is the Permittee's responsibility to comply with the Department of Toxic Substances Control (DTSC) ADL requirements for roadway soil management. Reuse of soils containing greater than 80 mg/kg total lead is not allowed without written approval of the DTSC and Caltrans. The Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils between Caltrans and the DTSC does not constitute written approval for the Permittee to reuse soils containing greater than 80 mg/kg total lead.
- e. The Permittee must implement the emergency notification requirements established in the California Office of Emergency Management Hazardous Materials, Spill / Release Notification Guidance(<http://www.caloes.ca.gov/>).
- f. Any imported material used for back fill must be free of contamination, and a certificate of the material as "clean" with the source area of the material must be provided to Permit Inspector upon request. Importing soils containing greater than 80 mg/kg total lead for use in state right-of-way is not allowed. Stockpiles of material containing aerially deposited lead shall not be placed where affected by surface run-on or run-off. Stockpiles shall be covered with plastic sheeting 13 mils minimum thickness or with one foot of nonhazardous material. Stockpiles shall not be placed in environmentally sensitive areas. Stockpiled material shall not enter storm drains, inlets, or waters of the State.

If there are any questions, the State Permit Inspector should directly send such questions to myself Ricardo.Caraig@dot.ca.gov and (949) 697-3500 or my staff Ronnel Lising at (949) 556-2033 and Ronnel.Lising@dot.ca.gov.