

Chapter 4 – California Environmental Quality Act Evaluation

4.1 Determining Significance under CEQA

The proposed project is a joint project by Caltrans and FHWA and is subject to State and federal environmental review requirements. Project documentation, therefore, has been prepared in compliance with both CEQA and NEPA. Caltrans is the lead agency under CEQA and the FHWA is the lead agency under NEPA.

One of the primary differences between NEPA and CEQA is the way significance is determined. Under NEPA, significance is used to determine whether an EIS, or some lower level of documentation, will be required. NEPA requires that an EIS be prepared when the proposed federal action (project) *as a whole* has the potential to “significantly affect the quality of the human environment.” The determination of significance is based on context and intensity. Some impacts determined to be significant under CEQA may not be of sufficient magnitude to be determined significant under NEPA. Under NEPA, once a decision is made regarding the need for an EIS, it is the magnitude of the impact that is evaluated and no judgment of its individual significance is deemed important for the text. NEPA does not require that a determination of significant impacts be stated in the environmental documents.

CEQA, on the other hand, does require Caltrans to identify each “significant effect on the environment” resulting from the project and ways to mitigate each significant effect. If the project may have a significant effect on any environmental resource, then an EIR must be prepared. Each and every significant effect on the environment must be disclosed in the EIR and mitigated if feasible. In addition, the CEQA Guidelines list a number of mandatory findings of significance, which also require the preparation of an EIR. There are no types of actions under NEPA that parallel the findings of mandatory significance of CEQA. This chapter discusses the effects of this project and CEQA significance.

4.2 Less than Significant Effects of the Proposed Project

The following impacts would have a less than significant effect on the environment based on implementation of design measures and/or routine monitoring efforts during construction:

- Air Quality
- Energy
- Farmlands/Agricultural Lands
- Floodplains
- Geology and Soils
- Growth
- Hydrology and Water Quality
- Land Use
- Parks and Recreational Facilities
- Pedestrian and Bicycle
- Traffic and Transportation
- Utilities and Emergency Services

For a full discussion of environmental consequences for the above issues, please see related sections in *Chapter 3*.

4.3 Less than Significant Impacts with Mitigation and/or Minimization

The following resources have specific mitigation and/or minimization measures to reduce or avoid impacts that could occur during construction (cultural and paleontological resources, and hazardous materials) or operations (noise). These measures would reduce potential impacts to less than significant levels under CEQA, as described below.

4.3.1 Cultural Resources

As detailed in *Section 3.8, Cultural Resources*, no substantial change to any historical resource would occur. There is a potential for currently unknown sites to be located during project construction. If unanticipated discoveries are made, consultation with the SHPO would occur, as appropriate. This coordination, combined with implementation of proposed mitigation and minimization measures identified in *Section 3.8* of this Final EIR/EIS, ensures that there would not be significant cultural resources impacts to historical resources.

4.3.2 Paleontological Resources

As detailed in *Section 3.11, Paleontology*, direct impacts to paleontological resources could occur when mass grading cuts extend into geological deposits containing fossils. Although the precise types, depths, and locations of various construction activities are not known at this time, unearthing of paleontological resources is anticipated.

If anticipated discoveries occur, implementation of proposed mitigation measures identified in *Section 3.11* of this Final EIR/EIS would reduce paleontological resources impacts to less than significant levels.

4.3.3 Hazards and Hazardous Materials

As detailed in *Section 3.13, Hazardous Waste/Materials*, construction of the proposed project has the potential to disturb soils and other materials containing hazardous materials, such as aerially deposited lead, petroleum hydrocarbons, pesticides, herbicides, and other contamination due to historic uses in and around the project areas.

Wherever possible, the *I-5 NCC Project* would use the existing I-5 alignment to avoid and/or minimize impacts from hazards and hazardous materials. Where avoidance is not possible, the project incorporates measures to avoid potential disturbances of contamination areas, as described in *Section 3.13* of this Final EIR/EIS. Compliance with the applicable regulations pertaining to the safe handling and removal of hazardous waste/materials would reduce impacts pertaining to emission and handling of hazardous waste/materials within one quarter-mile of a school to less than significant levels.

4.3.4 Noise

Determination for noise impact under CEQA is based on a comparison between the existing noise levels and the build noise levels without soundwalls, as identified in *Section 3.15, Noise*. CEQA differs from NEPA in the assessment of the noise. Under CEQA, the assessment entails looking at the setting of the noise impact and then how large or perceptible a noise increase would be in the given area under future build and no-build conditions.

For the purposes of *Section 4.3.4* and *Section 3.15*, a Noise Sensitive Area (NSA)/Receptor Site is an area involving regular human use or activities that would be susceptible to adverse impacts due to highway traffic-generated noise. NSAs typically include residences, churches, schools, parklands, or hospitals, and may include individual sites, groups of sites, or an entire community. Individual analysis sites within the NSA are called Noise Receptor Sites. For the purposes of analysis, a single-family residence (SFR), multi-family residence (MFR), mobile home (MH), school (SCH), hotel or motel (HM), office, church (CHR), and recreational area (REC), are development types that are identified as units. Several units may be represented by a receptor.

A significant environmental effect under CEQA generally is defined as a substantial or potentially substantial adverse change in the physical environment. The increase in traffic noise caused by a project is the primary factor considered by Caltrans in assessing the significance of noise impacts under CEQA. Key considerations when determining a significant traffic noise impact under CEQA include whether there is an increase between existing and projected noise levels, the uniqueness of the setting, the sensitive nature of the noise receptors, the magnitude of the noise increase, the number of noise receptors affected, and the absolute noise level. The CEQA noise analysis is different from, but related to, the NEPA 23 CFR 772 analysis discussed in *Chapter 3*, which is centered on noise abatement criteria. Although the conclusions may vary, the decibel data addressed in this chapter are the same as those addressed in *Chapter 3*, and remain the same as those disclosed in the Draft EIR/EIS.

The Noise Study Report assesses the potential noise impacts associated with the *I-5 NCC Project*. Noise impacts are presented in *Section 3.15*, where tables for each segment show the existing traffic noise levels and predicted noise levels for all alternatives, including the future no-build. L_{eq} is used per the Caltrans' Traffic Noise Analysis guidance and is the equivalent steady-state sound level, which in a stated period of time contains the same acoustic energy as the time-varying sound level.

The noise measurement sites, or representative noise receptors, are locations where noise measurements are taken in order to determine existing noise levels and to verify or calibrate computer noise models. Locations that are expected to receive the greatest noise impacts, such as the first row of houses from the noise source, are generally chosen. These sites are chosen as being representative of similar sensitive sites in the area. Noise measurements were conducted in frequent outdoor human-use areas and indoor classroom locations. All noise measurement sites were selected so that there would be no unusual noises from sources such as dogs, pool pumps, or children that could affect the measured noise levels. To the extent feasible, sites that were free of major obstructions or noise contamination were selected.

The proposed build alternatives would increase noise levels between 1 dBA and 5 dBA from existing conditions in most locations of the I-5 North Coast Corridor by 2030,¹ with some areas potentially experiencing an increase as high as a 12 dBA change. Changes of 3 dBA or less are generally not detectable by the average healthy human ear and the difference in noise would not be expected to be perceptible. Changes of 5 dBA, however, are readily perceptible. The relationship between noise level change and perceived change is summarized as follows, based on the Caltrans Technical Noise Supplement (November 2009).

- 0 – 3 dBA change: Barely perceptible
- 5 dBA change: Readily perceptible
- 10 dBA change: Twice as loud

The recommended soundwalls in *Section 3.15* would not mitigate the noise impact to a level below CEQA significance for each individual soundwall.

The noise receptors identified along the *I-5 NCC Project* have been divided into 22 segments; information discussing noise impacts along these segments is provided below.

Segment 1 (La Jolla Village Drive to Genesee Avenue) – The 13 units, located within an existing, noisy and urban environment along this segment of the I-5 corridor, are represented by seven noise receptors. Based on the build alternatives (without a soundwall), noise receptors at Segment 1 would experience a projected noise level increase between 3 dBA and 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. Only two of the seven noise receptors within this segment would experience a projected noise level increase of 4 dBA with the build alternatives. The remaining five noise receptors would experience a projected noise level increase of only 3 dBA. The increase between existing noise levels and the build alternatives would not result in a significant noise impact under CEQA and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 1 are currently loud and would remain loud.

Segment 2 (Genesee Avenue to Carmel Mountain Road) – There are five noise receptors, which represent 30 units, located within this segment of the I-5 corridor. This segment is an existing, noisy and urban environment. Based on the build alternatives (without a soundwall), noise receptors at Segment 2 would experience a projected noise level increase of between 1 dBA and 2 dBA. This range of a 1 to 2 dBA increase between existing noise levels and the build alternative is barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 2 are currently loud and would remain loud,

Segment 3 (Carmel Mountain Road to Carmel Valley Road) – There are 16 noise receptors, which represent 47 units, located within this segment of the I-5 corridor. This segment consists of an existing, dense residential environment. Based on the build alternatives (without a soundwall), noise receptors at Segment 3 would experience a projected noise level increase between 1 and 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. One noise receptor (R3.10A, representing three units) would experience a noise reduction of 2 dBA. Only 4 of the 16 noise receptors would

¹ The Noise Study uses year 2030, but the traffic discussion in *Section 3.6* clarified that the use of 2030 traffic analysis is equally relevant through 2042 based on the Series 10, 11 and 12 analysis; that is the basis for determining the traffic volume for the noise level.

experience a projected noise level increase of 4 dBA; therefore, most of the noise receptors (11 of 16) would experience a projected noise level increase of 1 dBA to 3 dBA. This range of a 1 to 3 dBA increase between existing noise levels and the build alternative would be barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. Under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 3 are currently loud and would remain loud.

Segment 4 (Carmel Valley Road to Del Mar Heights Road) – There are 25 noise receptors, which represent 111 units, located within this segment of the I-5 corridor. This segment is an existing, noisy, dense residential environment. Based on the build alternatives (without a soundwall), noise receptors at Segment 4 would experience a projected noise level increase between 0 dBA and 3 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. One noise receptor (R4.9, representing four units) would experience a noise reduction of 1 dBA. The increase between existing noise levels and the build alternatives would not result in a significant noise impact under CEQA and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 4 are currently loud and would remain loud.

Segment 5 (Del Mar Heights Road to Via de la Valle Undercrossing) – The 135 units along this segment of the I-5 corridor, represented by 29 noise receptors, are located within an existing noisy, and primarily residential and urban environment. Based on the build alternatives (without a soundwall), noise receptors at Segment 5 would experience a projected noise level increase between 0 dBA and 6 dBA. However, only one of the noise receptors (R5.14, with two represented units) would experience a projected noise level increase of 6 dBA. The projected future noise level at this receptor is 68 dBA, which is consistent with other noise receptors in the vicinity. The other 28 noise receptors would experience a projected noise level increase between 0 dBA and 5 dBA. This range between existing noise levels and the build alternative would be between barely perceptible to readily perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 5 are currently loud and would remain loud.

Segment 6 (Via de la Valle Undercrossing to Lomas Santa Fe Drive) – The 135 units, represented by 34 noise receptors, are located within an existing noisy, residential and urban environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 6 would experience a projected noise level increase between 0 dBA and 10 dBA. However, only one noise receptor would experience a projected noise level increase of 10 dBA (R6.5, with one represented unit); one noise receptor would experience a projected noise level increase of 9 dBA (R6.4, with six represented units); one noise receptor would experience a projected noise level increase of 8 dBA (R6.6, with five represented units); and one noise receptor would experience a projected noise level increase of 7 dBA (R6.7, with five represented units). These receptors, representing 17 units, would perceive noise increases that are considered above readily perceptible to two times as loud as the current condition. Receptors R6.6 and R6.7 would experience a potentially significant impact under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 69 and 71 dBA; and a 7 to 8 dBA projected noise level increase. There are no soundwalls planned for these receptors due to the retention of the coastal view. A soundwall (S603A) is planned for the potentially significant impact to these noise receptors R6.4 and

R6.5 due to the combination of: the location of these receptors; the adjacent receptors noise levels; number of units represented; the resulting potential absolute noise level between 69 and 80 dBA; and a 7 to 10 dBA projected noise level increase. One noise receptor (R6.11, representing seven frontage units) would experience a noise reduction of 1 dBA. The remaining 29 receptors, representing 111 units, would experience a noise increase change between 0 and 6 dBA. Three noise receptors would experience a projected noise level increase of 6 dBA (R6.9A, with four represented units; R6.21, with three represented units; and R6.23, representing a school). The remaining 26 noise receptors, representing 103 units, would experience a projected noise level increase between 0 dBA and 5 dBA. This range of a 0 dBA to 5 dBA increase between existing noise levels and the build alternative would be barely perceptible to readily perceptible to the human ear.

The noise receptors where sound levels would increase by between 6 and 9 dBA would experience a difference that is readily perceptible, but less than twice as loud. The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For this segment overall, under CEQA, no significant noise impact would occur as a result of the project after the proposed mitigation and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 6 are currently loud and would remain loud.

Segment 7 (Lomas Santa Fe Drive to Manchester Avenue) – The 67 units, represented by 33 noise receptors, are located within an existing, noisy, and urban environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 7 would experience a projected noise level increase between 0 dBA and 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. Only 2 of the 33 noise receptors would experience a projected noise level increase of 4 dBA; therefore, the vast majority of the noise receptors (31 of 33) would experience a noise increase of 0 dBA to 3 dBA. The increase between existing noise levels and the build alternatives would not result in a significant noise impact under CEQA. The build alternatives would not significantly contribute to the existing noise levels. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required.

Segment 8 (Manchester Drive to Birmingham Drive) – The 152 units, represented by 32 noise receptors, are located within an existing, noisy, urban, and residential environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 8 would experience a projected noise level increase between 0 and 11 dBA. The 11 dBA projected noise level increase at one noise receptor (R8.7, representing four units) is unique in this segment with a projected noise increase considered over two times as loud as existing noise levels. A soundwall (S635) is planned for the potentially significant impact of noise receptor R8.7 due to the combination of: the location of this receptor; the adjacent receptors noise levels; the number of units represented; and an 11 dBA projected noise level increase. One noise receptor (R8.19, representing six units) would experience a noise reduction of two dBA. The other 30 noise receptors (representing 142 units) would experience a projected noise level increase between 0 dBA and 6 dBA (only 3 noise receptors increasing at 6 dBA: R8.1, R8.5, and R8.6, representing 4, 12, and 8 units respectively). Seven of these 22 noise receptors would experience a projected noise level increase of 0 dBA. Most of the noise receptors (28 of 32) would experience a projected noise level increase of 0 dBA to 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For this segment overall, under CEQA, a less than significant noise impact would occur as a result of the project after the proposed mitigation and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 8 are currently loud and would remain loud.

Segment 9 (Birmingham Drive to Santa Fe Drive) – The 67 units, represented by 19 noise receptors, are located within an existing, noisy, urban, and residential environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 9 would experience a projected noise level increase between 2 dBA and 10 dBA. Ten of the 19 noise receptors would experience a projected noise level increase of 5 dBA or less. One noise receptor (R9.14, representing six units) would experience a substantial projected noise level increase of 10 dBA. A 10 dBA increase is considered two times as loud as the existing noise level. In the context of its baseline setting, however, R9.14 would change from a slightly noisy level (57 dBA) to a noisy level (67 dBA) in an overall corridor that is already noisy. Other noise receptors (R9.2, R9.3, R9.4, R9.4A, R9.15, and R9.15A; representing a total of 28 units) would experience an increase of between 7 to 9 dBA, which would be a readily perceptible increase, but less than two times as loud to the human ear. There are no soundwalls planned for these receptors due to the economic cost of building a soundwall that would cause a perceptible noise reduction. These receptors would experience a potentially significant impact under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 66 and 77 dBA; and a 7 to 10 dBA projected noise level increase. The remaining eight receptors, representing 28 units, are expected to experience a projected noise level increase of 2 dBA to 6 dBA, which is barely perceptible to above readily perceptible to the human ear.

The resulting absolute noise level at the noise receptors that would experience a projected noise level increase of 7 to 10 dBA, would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For this segment overall, under CEQA, a potentially significant noise impact may occur at noise receptors R9.2, R9.3, R9.4, R9.4A, R9.14, R9.15, and R9.15A as a result of the project. Noise levels along Segment 9 are currently loud and would remain loud.

Segment 10 (Santa Fe Drive to Encinitas Boulevard) – The 86 units, represented by 24 noise receptors, are located within an existing dense, residential environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 10 would experience a projected noise level increase between 0 and 8 dBA. The 8 dBA increase at 1 noise receptor (R10.6, representing 10 units) is unique, because the other 23 noise receptors (representing 76 units) would experience a projected noise level increase between 0 dBA and 5 dBA. The receptor representing 10 units would perceive noise increases that are considered between readily perceptible and two times as loud to the human ear. This is a potentially significant impact at noise receptor R10.6 due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 76 dBA; and an 8 dBA projected noise level increase. There are no soundwalls planned for receptor R10.6 due to the economic cost of the soundwall when compared to the benefit received by the represented units. The remaining 23 receptors, representing 76 units, would experience a noise increase change between 0 and 5 dBA. This range of a 0 dBA to 5 dBA increase between existing noise levels and the build alternative would be barely perceptible to readily perceptible to the human ear.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For this segment overall, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 10 are currently loud and would remain loud.

Segment 11 (Encinitas Boulevard to Leucadia Boulevard) – The 132 units, represented by 40 noise receptors, are located within an existing urban, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 11 would experience a projected noise level increase between 1 and 7 dBA. However, only one noise receptor (R11.27, representing two units), would experience the projected noise level increase of 7 dBA. A 7 dBA increase is considered between readily perceptible and two times as loud to the human ear. This receptor, representing two units, would perceive noise increases that are considered above readily perceptible to two times as loud. A soundwall (S686A) is planned for the potentially significant impact of this noise receptor (R11.27) due to the combination of: the location of these receptors; the adjacent receptors' noise levels; the number of units represented; the resulting potential absolute noise level of 77 dBA; and a 7 dBA projected noise level increase. The remaining 39 receptors, representing 130 units, would experience a noise increase change between 0 and 6 dBA. Three noise receptors would experience a projected noise level increase of 6 dBA (R11.29, R11.31, and R11.32, representing one, three, and two units, respectively). A 6 dBA increase is considered readily perceptible increase to the human ear. All other 36 noise receptors would experience a projected noise level increase between 0 dBA and 5 dBA. The range of 5 dBA to 6 dBA increase between existing noise levels and the build alternative is readily perceptible to the human ear. The range of a 0 dBA to 3 dBA increase between existing noise levels and the build alternative would be barely perceptible to the human ear.

For the noise receptor that would experience a projected noise level increase of 7 dBA, the resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For the segment overall, under CEQA, mitigation is being incorporated into the project to lessen the environmental impacts and no significant noise impact would occur as a result of the project and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 11 are currently loud and would remain loud.

Segment 12 (Leucadia Boulevard to La Costa Avenue) – The 104 units, represented by 52 noise receptors, are located within an existing urban, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 12 would experience a projected noise level increase between 1 dBA and 6 dBA. However, only three noise receptors would experience a projected noise level increase of 6 dBA (R12.34, R12.46, and R12.48, representing one, three, and one units, respectively) and nine noise receptors would experience a projected noise level increase of 5 dBA. A 5 to 6 dBA increase is considered readily perceptible increase to the human ear. One noise receptor (R12.40, representing two units) would experience a noise reduction of 1 dBA. All other 39 noise receptors (representing 97 units) would experience a projected noise level increase between 0 dBA and 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. Under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build

alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 12 are currently loud and would remain loud.

Segment 13 (La Costa Avenue to Poinsettia Lane) – The 161 units, represented by 30 noise receptors, are located within an existing dense, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 13 would experience a projected noise level increase between 1 dBA and 7 dBA. However, the 7 dBA increase at 1 noise receptor (R13.8, representing four units) is unique, because the other 29 noise receptors would experience a projected noise level increase between 1 dBA and 5 dBA. Receptor R13.8 would perceive noise increases that are considered between readily perceptible and two times as loud. A soundwall is not planned for the potentially significant impact of noise receptor R13.8. In the context of its baseline setting, R13.8 would change from an urban quiet level (51 dBA) to a slightly noisy level (61 dBA) in an overall corridor that is already noisy. However, receptor R13.8 is potentially significant under CEQA due to the combination of: the location of these receptors; the adjacent receptors' noise levels; the number of units represented; and a 7 dBA projected noise level increase. One noise receptor (R13.20, representing one unit) would experience a noise reduction of 1 dBA. The remaining 28 receptors, representing 96 units, would experience a noise increase between 0 and 6 dBA. This range of a 1 dBA to 6 dBA increase between existing noise levels and the build alternatives would be between barely perceptible and readily perceptible to the human ear.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For the segment overall, under CEQA, no significant noise impact would occur as a result of the project and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 13 are currently loud and would remain loud.

Segment 14 (Poinsettia Lane to Palomar Airport Road) – The 170 units, represented by 31 noise receptors, are located within an existing dense, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 14 would experience a projected noise level increase between 1 dBA and 8 dBA. However, the 8 dBA increase at 1 noise receptor (R14.6 representing 16 units) is unique, because the other 30 noise receptors would experience a projected noise level increase between 1 dBA and 4 dBA. An 8 dBA increase is considered between a readily perceptible increase and two times as loud to the human ear. A soundwall is not planned for the potentially significant impact of this noise receptor R14.6 due to the economic cost of building a soundwall that would cause a perceptible reduction. Receptor R14.6 is potentially significant under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; and an 8 dBA projected noise level increase. The remaining 30 receptors representing 154 units would experience a noise increase change between 0 and 6 dBA. This range of a 1 dBA to 3 dBA increase between existing noise levels and the build alternative would be barely perceptible to the human ear. The range from 4 dBA to 6 dBA is readily perceptible to the human ear.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For the segment overall, under CEQA, no significant noise impact would occur as a result of the project and no additional mitigation is required. The build alternatives would not significantly contribute to the

existing noise levels. Noise levels along Segment 14 are currently loud and would remain loud.

Segment 15 (Palomar Airport Road to Cannon Road) – The two units, represented by two noise receptors (R15.1 and R15.2), are located north of Cannon Road and within an existing noisy, urban environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 15 would experience a projected noise level increase between 2 dBA and 3 dBA. This range of a 2 dBA to 3 dBA increase between existing noise levels and the build alternative would be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 15 are currently loud and would remain loud.

Segment 16 (Cannon Road to Tamarack Avenue) – The 82 units, represented by 21 noise receptors, are located within an existing noisy, and primarily residential and urban environment, along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 16 would experience a projected noise level increase between 1 dBA and 5 dBA. However, only one of the noise receptors (R16.1, representing three units) would experience the projected noise level increase of 5 dBA. Twenty noise receptors would experience a projected noise level increase between 1 dBA and 4 dBA. A 3 dBA increase is barely perceptible to the human ear. A 4 dBA increase is perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 16 are currently loud and would remain loud.

Segment 17 (Tamarack Avenue to Carlsbad Village Drive) – The 195 units, represented by 35 noise receptors, are located within an existing dense, urban, and primarily residential environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 17 would experience a projected noise level increase between 1 dBA and 7 dBA. Two noise receptors (R17.11 and R17.13, representing 10 and 1 units, respectively) would experience a projected noise increase of 7 dBA, to levels consistent with the loudness of the corridor. Receptors R17.11 would perceive noise increases that are considered above readily perceptible. A soundwall (S603) is planned for the potentially significant impact of this noise receptor due to the combination of: the location of these receptors; the adjacent receptors' noise levels; the number of units represented; the resulting potential absolute noise level between 71 dBA; and a 7 dBA projected noise level increase. One noise receptor (R17.19, representing 21 units) would experience a noise reduction of 1 dBA. The remaining 29 receptors (representing 97 units) would experience a noise increase between 0 and 6 dBA. Four noise receptors would experience an increase of 6 dBA (R17.12, R17.14, R17.15 and R17.16, representing four, one, one, and one units, respectively). A 6 dBA increase is considered a readily perceptible increase. A soundwall (S810) is, however, planned for noise receptor R17.12 (Holiday Park) due to the combination of uniqueness of the outdoor recreational use, resulting potential absolute noise level of 72 dBA, and a 6 dBA projected noise level increase. All other 29 noise receptors (representing 177) units would experience a projected noise level increase between 1 dBA and 5 dBA. This range of a 1 dBA to 5 dBA increase between existing noise levels and the build alternative would range from barely perceptible to readily perceptible to the human ear.

For noise receptors that would experience a projected noise level increase of six dBA, the noise level increase would be over readily perceptible. However, the resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. Under CEQA and for the segment overall, other than the mitigation requirement to construct a soundwall (S810) for noise receptors R17.11 through R17.13, no significant noise impact would occur as a result of the project and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 17 are currently loud and would remain loud.

Segment 18 (Carlsbad Village Drive to Vista Way [SR-78]) – The 95 units, represented by 30 noise receptors, are located within an existing urban, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 18 would experience a projected noise level increase between 2 dBA and 12 dBA. One receptor (R18.22, representing three units) would experience an increase of 12 dBA. Receptor R18.22 would experience a potentially significant impact under CEQA. This potentially significant impact is based on the location, magnitude of noise increase of 12 dBA, and a predicted absolute noise level of 82 dBA. A 12 dBA increase is perceived over two times as loud to the human ear. A 14-ft-high soundwall (S821) is planned for this noise receptor (residence located at 1148 Knowles Avenue in Carlsbad) to mitigate the potential noise impacts at this noise receptor.

There are two receptors that would experience an increase of nine dBA (R18.7, representing one unit, and R18.8, representing six units). A 9 dBA increase is perceived as almost two times as loud to the human ear. There are five receptors that would experience an increase of 8 dBA: R18.2, representing five units; R18.11, representing one unit; R18.19, representing two units; R18.20, representing one unit; and R18.24, representing one unit. There are 13 receptors that would experience an increase of 7 dBA: R18.1, representing 3 units; R18.1A, representing 1 unit; R18.2, representing 5 units; R18.3, representing 8 units; R18.4, representing 1 unit; R18.5, representing 1 unit; R18.6, representing 1 unit; R18.7, representing 1 unit; R18.7A, representing 1 unit; R18.8, representing 1 unit; R18.9, representing 1 unit; R18.5, representing 34 units; and R18.27, representing 1 unit. A 7 and 8 dBA increase is considered between a readily perceptible increase and two times as loud to the human ear. The remaining 9 receptors, representing 16 units, would experience a noise increase change between 0 and 6 dBA.

There is no soundwall planned for receptor R18.1 due to the economic cost of the soundwall when compared to the benefit received by the represented units. Receptor 18.1, representing three units, is potentially significant under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level of 73 dBA; and a 7 dBA projected noise level increase. A soundwall is not planned for the potentially significant impact at noise receptors R18.8, R18.9, and R18.27 due to the economic cost of building a soundwall that would cause a perceptible reduction. Receptors R18.8, and R18.9 are potentially significant under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; number of units represented; and a 7 dBA projected noise level increase.

Soundwalls (S821, S822, S826, and S827) are planned for the potentially significant impact for noise receptors R18.1A, R18.2, R18.2A, R18.3, R18.4, R18.5, R18.6, R18.7, R18.7A, R18.8, R18.9, R18.11, R18.17, R18.18, R18.19, R18.20, R18.22, R18.24, R18.25, and R18.27 due to

the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 65 and 82 dBA; and a 7 to 12 dBA projected noise level increase.

For this segment overall, under CEQA, a potentially significant noise impact may occur for these noise receptors as a result of the project. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 18 are currently loud and would remain loud.

Segment 19 (Vista Way [SR-78] to Oceanside Boulevard) – The 178 units, represented by 54 noise receptors, are located within an existing urban, and primarily residential, environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 19 would experience a projected noise level increase between 0 dBA and 9 dBA. An existing soundwall at varying heights at three noise receptors (R19.6A, R19.7, and R19.8, representing 12 units) would be partially removed and replaced with a new soundwall as a project feature at these noise receptors.

One noise receptor (R19.44, representing 3 units) would experience a projected noise level increase of 9 dBA; 6 noise receptors would experience a projected noise level increase of 8 dBA (R19.7 with 5 units, R19.8 with 4 units, R19.15 with 5 units, R19.26 with 4 units, R19.27 with 8 units, and R19.43 with 2 units); and 10 noise receptors would experience a projected noise level increase of 7 dBA (R19.1 with 1 unit, R19.2 with 1 unit, R19.12 with 2 units, R19.13 with 1 unit, R19.14 with 3 units, R19.25 with 1 unit, R19.28 with 2 units, R19.35 with 4 units, R19.36 with 1 unit, and R19.45 with 6 units). A 9 dBA increase is considered to be almost two times as loud to the human ear; while 7 and 8 dBA increases are considered between readily perceptible and two times as loud to the human ear. These 17 receptors (representing 53 units) would perceive noise increases that are considered above readily perceptible to two times as loud.

The remaining 37 receptors (representing 125 units) would experience a noise change between less than 0 and 6 dBA. One noise receptor (R19.37, representing five units) would experience a noise reduction of 3 dBA. Two noise receptors (R19.49 and R19.50, representing one unit each) would experience a noise reduction of 2 dBA. Three noise receptors would experience a projected noise level increase of six dBA (R19.30, R19.39, and R19.40, representing three, three, and two units, respectively). A six dBA increase is considered a readily perceptible increase. Although these increases may be perceptible, this is a noisy corridor that would remain noisy. Thirty-four noise receptors along Segment 19 would experience a projected noise level increase between 1 dBA and 5 dBA, and this range of increase between existing noise levels and the build alternative would be between barely perceptible and readily perceptible to the human ear.

Soundwalls (S841, S835, S836, S845, and S846) are planned for the potentially significant impact to these noise receptors R19.1, R19.2, R19.12, R19.13, R19.14, R19.15, R19.25, R19.26, R19.27, R19.28, R19.35, R19.36, R19.43, R19.44, and R19.45; due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 75 and 82 dBA; and a 7 to 9 dBA projected noise level increase.

There are no soundwalls planned for R19.7 and R19.8 due to the economic cost of the soundwall when compared to the benefit received by the represented units. However the

existing soundwall would be replaced for these receptors. Receptors 19.7 and 19.8 are potentially significant under CEQA due to the combination of: the location of these receptors; the adjacent receptors noise levels; the number of units represented; the resulting potential absolute noise level between 74 and 75 dBA; and an 8 dBA projected noise level increase.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. For this segment overall, under CEQA, no significant noise impact would occur for these noise receptors as a result of the project and no additional mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 19 are currently loud and would remain loud.

Segment 20 (Oceanside Boulevard to Mission Avenue) – The 123 units, represented by 27 noise receptors, are located within an existing urban environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 20 would experience a projected noise level increase between 0 dBA and 8 dBA. An 8 dBA increase is considered to be between a readily perceptible increase and two times as loud to the human ear. However, only one noise receptor (R20.2, representing three units at Ron Ortega Recreation Park) would experience a potentially significant impact under CEQA. Because of the uniqueness of recreational use, a projected noise level increase of 8 dBA, and resulting potential absolute noise level of 77 dBA, a soundwall (S862) would be constructed at Ron Ortega Recreation Park. One noise receptor (R20.4, representing one unit) would experience a noise reduction of 3 dBA. Another noise receptor (R20.26, representing one unit) would experience a noise reduction of 6 dBA. The remaining 25 noise receptors, representing 119 units, would experience a projected noise level increase between 0 dBA and 4 dBA. This range of a decreasing noise level to a four dBA increase between existing noise levels and the build alternative would be barely perceptible to readily perceptible to the human ear.

The resulting absolute noise level would be consistent with the other noise receptors and the general noisy conditions along this segment of the I-5 North Coast Corridor. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no additional mitigation is required for these 27 noise receptors. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 20 are currently loud and would remain loud.

Segment 21 (Mission Avenue to SR-76) – The 60 units, represented by 21 noise receptors, are located within an existing developed and urban environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 21 would experience a projected noise level increase between 1 dBA and 6 dBA, and a noise reduction of 4 dBA at receptor R21.5, representing 2 units. Only 1 of the 21 noise receptors would experience a projected noise level increase of 6 dBA (R21.39, representing one unit). This 6 dBA increase between existing noise levels and the build alternative would be readily perceptible to the human ear. The remaining 19 noise receptors, representing 118 units, would experience a projected noise level increase between 1 dBA and 5 dBA, which is barely perceptible to readily perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 21 are currently loud and would remain loud.

Segment 22 (SR-76 to Wire Mountain Road) – The 54 units, represented by 15 noise receptors, are located within an existing noisy, urban and primarily residential environment along this segment of the I-5 corridor. Based on the build alternatives (without a soundwall), noise receptors at Segment 22 would experience a projected noise level increase between 0 dBA and 3 dBA. This range of a 0 dBA to 3 dBA increase between existing noise levels and the build alternative would barely be perceptible to the human ear. Therefore, under CEQA, no significant noise impact would occur as a result of the project and no mitigation is required. The build alternatives would not significantly contribute to the existing noise levels. Noise levels along Segment 22 are currently loud and would remain loud.

Corridor Noise Impacts CEQA Finding

At the 27-mile project level, the project includes soundwalls for a number of noise receptors (see *Section 3.15*) that are not required under a CEQA analysis. These soundwalls or other noise mitigation elements were incorporated into the project. The mitigation incorporated into the project for both CEQA and NEPA would effectively provide noise mitigation for a large number of locales and receptors along the *I-5 NCC Project*.

At the project segment level, for 20 of the 22 segments analyzed, soundwalls have been incorporated into the project and they would effectively provide noise mitigation. Two segments of the 27-mile project have been determined to be significant after mitigation. Segment 9 identifies receptors R9.2, R9.3, R9.4, R9.4A, R9.14, R9.15, and R9.15A that would be significantly impacted as a result of the project; there are no soundwalls planned for these receptors due to the economic cost of building a soundwall that would result in a perceptible noise reduction. Segment 18 identifies receptors R18.1, R18.8, R18.9, and R18.27 that would be significantly impacted as a result of the project. A soundwall is not planned for these receptors due to the economic cost of building a soundwall that would result in a perceptible reduction.

At the individual receptor level, soundwalls and/or other mitigation alternatives have been incorporated into the project and they would effectively provide noise mitigation. As to those individual receptors that would not receive noise mitigation (receptors R6.6, R6.7, R10.6, R13.8, and R14.6), there are specific economic, legal, social, technological, or other benefits of the project which outweigh the potentially significant effects on the environment.

The receptors identified in *Table 4.1, Receptors Identified as Potentially Significant*, are within the corridor and may be considered potentially significant impacts. Mitigation was considered for these receptors upon balancing, as applicable, the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable environmental risks when determining whether to approve these soundwalls for mitigation. In addition, soundwalls proposed off Caltrans right-of-way are subject to the approval of the property owner. The following receptors were identified as potentially significant and many are eligible for a soundwall as identified in *Table 4.1*.

Table 4.1: Receptors Identified as Potentially Significant

Receptor #	Soundwall #	Location
R6.4	S603A	804 Ida Avenue
R6.5	S603A	828 Ida Avenue
R6.6	--	708 Castro Street
R6.7	--	709 Ida Avenue
R8.7	S635	2433 Caminito Ocean Cove
R9.2	--	1815 MacKinnon Avenue
R9.3	--	1725 MacKinnon Avenue
R9.4	--	1633 MacKinnon Avenue
R9.4A	--	1606 MacKinnon Avenue
R9.14	--	1551 Villa Cardiff Drive
R9.15	--	1511 Villa Cardiff Drive
R9.15A	--	1511 Villa Cardiff Drive
R10.6	--	611 Stratford Drive
R11.27	S686A	Saxony Condominiums - Park
R13.8	--	7452 Neptune Drive
R14.6	--	Poinsettia Station Apartment Homes - Embarcadero Lane
R17.11	S810	3300 Eureka Place
R17.12	S810	Holiday Park
R17.13	S810	1144 Pine Avenue
R18.1	--	1192 Laguna Drive
R18.1A	S822	1239 Knowles Avenue
R18.2	S822	1220 Knowles Avenue
R18.2A	S822	Park - Pio Pico Drive
R18.3*	S822	1255 Cynthia Lane
R18.4* ^K	S822	Buena Vista Elementary School
R18.5	S822	Buena Vista Elementary School - Baseball Field
R18.6*	S822	1291 Las Flores Drive
R18.7	S822	1277 Las Flores Drive
R18.7A	S826	1288 Las Flores Drive
R18.8*	--	2351 Pio Pico Drive
R18.9	--	2347 Pio Pico Drive
R18.11	S827	2380 Jefferson Street
R18.17	S821	2443 Tuttle Street
R18.18	S821	1111 Buena Vista Way
R18.19 ^K	S821	2501 Davis Avenue
R18.20	S821	2530 Davis Avenue
R18.22	S821	1148 Knowles Avenue
R18.24	S821	1088 Laguna Dr - Carlsbad Retirement Community
R18.25	S821	1088 Laguna Dr - Carlsbad Retirement Community
R18.27	--	1022 Grand Avenue
R19.1	S836	1504 Kelly Street
R19.2	S836	1501 Krim Place
R19.7	Existing Soundwall Replaced	1613 Lopez Street
R19.8	Existing Soundwall Replaced	1601 Lopez Street

Table 4.1 (cont): Receptors Identified as Potentially Significant

Receptor #	Soundwall #	Location
R19.12	S846	1504 California Street
R19.13	S846	1516 California Street
R19.14	S846	1463 Belleare Street
R19.15	S846	1431 Belleare Street
19.25	S845	1246 Laguna Street
19.26	S845	1426 Moreno Street
19.27	S845	1464 Moreno Street
19.28	S845	1474 Moreno Street
19.35	S841	1637 Griffin Street
19.36	S841	1256 Alderney Court
19.43	S835	1250 Kirmar Place
19.44	S835	1250 Kirmar Place
19.45	S835	1824 Moreno Street
R20.2	S863	Ron Ortega Recreation Park

Construction Impacts

Construction activities, including utility relocations, would likely generate a temporary, short term increase in noise. Because this increase would be temporary and limited to the immediate area surrounding construction and utility relocations activities, it would be a less than significant impact. A combination of attenuation techniques with equipment noise control and administrative measures would be selected to minimize noise disturbances during construction and utility relocation activities. See *Section 3.15* for additional details.

4.3.5 Biological Resources

Natural Communities

As described in *Section 3.17*, the proposed project would result in impacts to riparian, wetland, and eelgrass habitat for natural communities. Impacts to all upland communities would range from 1295.16 ac under the 10+4 Barrier alternative to 1244.92 ac under the refined 8+4 Buffer alternative (Preferred Alternative). The 10+4 Buffer alternative and 8+4 Barrier alternative would result in impacts to 1269.07 ac and 1281.79 ac, respectively.

Impacts to 18.43 ac to 25.55 ac of riparian and wetland habitat, depending on the selected alternative, would be considered significant. Impacts to sensitive upland habitats would total between 63.72 ac and 69.43 ac, depending on the selected alternative, and would also be considered significant.

In addition, permanent impacts to eelgrass for each of the alternatives range from 0.08 ac impacted by the refined 8+4 Buffer alternative to 0.24 ac impacted by the 10+4 Barrier alternative. Temporary impacts to eelgrass would range from 0.22 ac for the refined 8+4 Buffer alternative to 0.37 ac for the 10+4 Barrier alternative. Impacts to eelgrass would be considered significant.

Mitigation provided as part of the *I-5 NCC Project REMP* would reduce these significant impacts to less than significant levels. Additional details regarding mitigation are provided in *Section 3.17*.

Wetlands and Other Waters

As described in *Section 3.18* of this document, net impacts to wetlands and other waters of the U.S. would range from 11.61 ac under the refined 8+4 Buffer alternative (Preferred Alternative) to 17.17 ac of USACE resources under the 10+4 Barrier alternative. Net impacts to State jurisdictional wetlands would range from 15.92 ac under the refined 8+4 Buffer alternative to 23.03 ac under the 10+4 Barrier alternative. Impacts to jurisdictional waters would be considered significant under CEQA.

Mitigation provided as part of the *I-5 NCC Project* REMP would reduce these significant impacts to less than significant levels. Additional details regarding mitigation are provided in *Sections 3.17* and *3.18*. Information about the REMP's relationship to regional lagoon restoration also is addressed therein, and in *Section 3.25*.

Plant, Animal, and Threatened and Endangered Species

The North Coast Corridor contains a number of sensitive (including threatened and endangered) plant and animal species, whose ranges and numbers have been reduced due to past disturbance by urban development and related infrastructure, including I-5.

As discussed in detail in *Sections 3.19* and *3.20* of this Final EIR/EIS, the proposed project could generate impacts to certain sensitive plant and animal species. Because of the status of such sensitive species, the *I-5 NCC Project* would take precautions to avoid construction-period impacts. Avoidance, minimization, and mitigation measures for the proposed project specify that seed would be collected or plants would be salvaged to the extent practicable in the impact areas. Habitat removals would be minimized and mitigated, as discussed in *Sections 3.17* through *3.22* of this document. Implementation of these measures would reduce impacts to sensitive plant and animal species to less than significant levels.

As discussed in detail in *Section 3.21* of this Final EIR/EIS, the proposed project could generate impacts to certain species, including designated critical habitat for the least Bell's vireo, southwestern willow flycatcher, tidewater goby, and the California gnatcatcher. Sensitive bird species that forage and nest within the lagoons at certain times of the year could experience adverse effects on breeding behaviors. Potential temporary impacts could occur to steelhead trout habitat within the San Luis Rey River. Designated critical habitat for several threatened or endangered bird species (i.e., least Bell's vireo and coastal California gnatcatcher) would be removed. In all cases, the *I-5 NCC Project* would minimize and/or mitigate for impacts to sensitive wildlife, wildlife movement, and/or nursery sites. Avoidance, minimization, and mitigation measures identified in *Sections 3.17* through *3.22* would reduce impacts to these species to less than significant levels.

Conformance with Local Policies, Ordinances, and Conservation Plans

Conformance of the *I-5 NCC Project* with local policies and ordinances addressing biological resources is discussed in *Section 3.1* and detailed in *Table 3.1.1*. The analysis and mitigation relevant to the applicable protected resources are provided in *Sections 3.17* through *3.22* of this Final EIR/EIS. Although Caltrans and FHWA are not signatory agencies to the local HCP, MSCP, and/or MHCP efforts, Caltrans has coordinated with the cities and wildlife agencies to ensure that potential impacts to species or habitats protected under local conservation plans would be minimized and/or mitigated to less than significant levels (see discussion of the project REMP in *Section 3.17* of this Final EIR/EIS). Additionally, the project REMP, which addresses impacts and mitigation requirements for a number of transportation improvements

(highway, rail, local street, etc.) throughout the North Coast Corridor, provides a regional approach similar to the MSCP/MHCP plans.

Conclusion

As detailed above, measures to avoid or substantially lessen impacts have been incorporated into the project. These measures would reduce impacts to below a level of significance. The measures are incorporated into the ECR, which comprises a program for reporting on or monitoring implementation of the measures, pursuant to CEQA Guidelines Section 15091(d).

4.4 Unavoidable Significant Environmental Effects

Impacts to Visual/Aesthetics (for all four build alternatives) and Community Character and Cohesion (for the 10+4 barrier alternative) would remain significant after mitigation identified in *Chapter 3*.

4.4.1 Visual/Aesthetics

I-5 already constitutes a transportation feature within the viewscape for viewers who see it from community locations to the east or west. The portion of I-5 that is designated as scenic highway is not affected. I-5 does not extend over large blocks of land in an east-west direction (which would support increased visibility) but is a relatively narrow visual element in a much larger viewscape. A scenic vista is being enhanced by the project, just north of Manchester Avenue on the west side. Given the varying topography of the North Coast Corridor and the amount of other built elements, I-5 is not the predominant visual feature, which generally would be expected to be the Pacific Ocean, or nearby hillsides.

Visually, when considered in the context of (1) most community views being focused toward the ocean, as well as (2) existing North Coast Corridor development density, (3) existing topographic or manmade features that intervene between the viewer and I-5 throughout most of the North Coast Corridor communities, and (4) the presence of the existing eight-lane facility, I-5 improvements are not expected to substantially change the visual experience of the larger communities surrounding it.

Viewers along the corridor would continue to be exposed to a mix of open vistas, including views of the ocean and lagoons, and views that are blocked by development or changed due to implementation of project landscaping (similar to existing conditions). Specific to ocean views, view impacts from the project to the coastline, lagoons, and river valleys would be avoided or minimized as a matter of project design. These resources are typically most visible across or below the corridor's large lagoon and river bridges, and these views would be maintained.

As described in *Section 3.7*, however, all four build alternatives would result in highly adverse changes to the existing visual environment along the I-5 right-of-way, primarily related to construction of retaining walls and potential sound barriers. While impacts to visual resources would be similar for all four build alternatives, the 10+4 Barrier alternative would result in the greatest change to the existing visual environment because this alternative would require the greatest amount of additional pavement. Conversely, the refined 8+4 Buffer alternative (Preferred Alternative) would result in the least amount of change to the existing visual

environment, because it would require the least amount of additional pavement. The increase in build elements could be considered to substantially degrade the existing visual character of the I-5 right-of-way. Potentially significant CEQA impacts to I-5 views range from moderate visual impact to high visual impact.

No new source of substantial light or glare would be generated, since the project addresses the widening of an existing facility; impacts would be less than significant.

Conclusion

As detailed in *Section 3.7*, measures to avoid or substantially lessen impacts have been incorporated into the project. These measures are incorporated into the ECR, which comprises a program for reporting on or monitoring implementation of the measures, pursuant to CEQA Guidelines Section 15091(d). Nonetheless, impacts would remain significant. Additional measures or alternatives that would reduce impacts to below a level of significance would be infeasible due to the nature of widening an existing interstate in a scenic area.

4.4.2 Community Character and Cohesion

The 10+4 Barrier alternative would displace a 47-unit apartment complex in northern Carlsbad within an area identified as exhibiting traits of elevated community cohesion: namely, a relatively high concentration of linguistically isolated Spanish-speaking households, as well as a high proportion of minority populations. As discussed in *Section 3.4*, displaced residents living in these 47 units may be difficult to relocate within a similar community as the availability of apartments within Carlsbad with similar rental rates is not adequate. If relocation is not feasible in Carlsbad and up to 47 families are relocated outside of the community, this may adversely impact community cohesion in the area, which would be considered a significant impact. The refined 8+4 Buffer alternative, which has been identified as the Preferred Alternative, would avoid impacts to this apartment complex. If the 10+4 Barrier alternative is ultimately selected for implementation, findings regarding the infeasibility of the 8+4 Buffer alternative would be required.

4.5 Significant Irreversible Environmental Changes

Implementation of the project would involve a commitment of natural, physical, human, and fiscal resources. Land used in the construction of the proposed facilities is considered an irreversible commitment during the time period that the land would be used for the highway facility. Although the land can be converted to another use if a greater need arises for use of the land or if the facilities are no longer needed, at present, there is no reason to believe such a conversion would ever be necessary or desirable. The following land uses and environmental resources would be committed: wetlands, sensitive species, natural communities, farmlands, residences, business locations, floodplains, cultural resources, and visual resources. Please refer to relevant sections of *Chapter 3* of this Final EIR/EIS, as well as *Section 3.24*, for additional discussion.

Although such resources are generally not retrievable, their commitment is based on the concept that individuals in the immediate area, region, and State would benefit from the improved quality of the transportation system. These benefits would consist of improved accessibility and safety, savings in time and fuel, and the provision of a dependable

transportation system; these benefits are expected to outweigh the commitment of these resources.

4.6 Climate Change

Climate change refers to long-term changes in temperature, precipitation, wind patterns, and other elements of the earth's climate system. An ever-increasing body of scientific research attributes these climatological changes to greenhouse gas (GHG) emissions, particularly those generated from the production and use of fossil fuels.

While climate change has been a concern for several decades, the establishment of the Intergovernmental Panel on Climate Change (IPCC) by the United Nations and World Meteorological Organization in 1988, has led to increased efforts devoted to GHG emissions reduction and climate change research and policy. These efforts are primarily concerned with the emissions of GHGs generated by human activity including carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride (SF₆), HFC-23 (fluoroform), HFC-134a (s, s, s, 2-tetrafluoroethane), and HFC-152a (difluoroethane).

In the U.S., the main source of GHG emissions is electricity generation, followed by transportation. In California, however, transportation sources (including passenger cars, light duty trucks, other trucks, buses, and motorcycles make up the largest source (second to electricity generation) of GHG emitting sources. The dominant GHG emitted is CO₂, mostly from fossil fuel combustion.

There are typically two terms used when discussing the impacts of climate change. "Greenhouse Gas Mitigation" is a term for reducing GHG emissions in order to reduce or "mitigate" the impacts of climate change. "Adaptation," refers to the effort of planning for and adapting to impacts resulting from climate change (such as adjusting transportation design standards to withstand more intense storms and higher sea levels).²

There are four primary strategies for reducing GHG emissions from transportation sources: (1) improving the transportation system and operational efficiencies, (2) reducing the growth of vehicle miles traveled (VMT), (3) transitioning to lower GHG emitting fuels, and (4) improving vehicle technologies. To be most effective all four strategies should be pursued cooperatively. The following *Section 4.6.1, Regulatory Setting*, outlines State and federal efforts to comprehensively reduce GHG emissions from transportation sources.

4.6.1 Regulatory Setting

State

With the passage of several pieces of legislation including State Senate and Assembly Bills (SBs, ABs) and Executive Orders (EOs), California launched an innovative and pro-active approach to dealing with GHG emissions and climate.

AB 1493, Pavley, Vehicular Emissions: Greenhouse Gases, 2002: requires the California Air Resources Board (CARB) to develop and implement regulations to reduce automobile and

² http://climatechange.transportation.org/ghg_mitigation/

light truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year. In June 2009, the United States Environmental Protection Agency (USEPA) Administrator granted a Clean Air Act waiver of preemption to California. This waiver allowed California to implement its own GHG emission standards for motor vehicles beginning with model year 2009. California agencies will be working with federal agencies to conduct joint rulemaking to reduce GHG emissions for passenger cars model years 2017-2025.

EO S-3-05 (signed on June 1, 2005, by former Governor Arnold Schwarzenegger): the goal of this EO is to reduce California's GHG emissions to: (1) year 2000 levels by 2010, (2) year 1990 levels by 2020, and (3) 80 percent below the year 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of AB 32.

AB 32, the Global Warming Solutions Act of 2006, Núñez and Pavley: sets the same overall GHG emissions reduction goals as outlined in EO S-3-05, while further mandating that CARB create a scoping plan (which includes market mechanisms) and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases."

Senate Bill 375 (SB 375), Chapter 728, 2008 Sustainable Communities and Climate Protection: requires CARB to set regional emissions reduction targets from passenger vehicles. The Metropolitan Planning Organization for each region must then develop a "Sustainable Communities Strategy" (SCS) that integrates transportation, land use, and housing policies to plan for achievement of the emissions target for their region.

Senate Bill 391 (SB 391), Chapter 913, 2009: requires the State's long-range transportation plan to meet California's climate change goals under AB 32.

EO S-20-06 (signed on October 18, 2006 by former Governor Arnold Schwarzenegger): further directs State agencies to begin implementing AB 32, including the recommendations made by California's Climate Action Team.

EO S-01-07 (signed on January 18, 2007 by former Governor Arnold Schwarzenegger): set forth the low carbon fuel standard for California. Under this EO, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by the year 2020.

SB 97, Chapter 185, 2007: required the Governor's Office of Planning and Research (OPR) to develop recommended amendments to the CEQA Guidelines for addressing GHG emissions. The amendments became effective on March 18, 2010.

Caltrans Director's Policy 30 (DP-30) Climate Change (approved June 22, 2012): is intended to establish a Caltrans policy that will ensure coordinated efforts to incorporate climate change into Caltrans decisions and activities. This policy contributes to Caltrans' stewardship goal to preserve and enhance California's resources and assets.

Federal

Although climate change and GHG reduction is a concern at the federal level; currently there are no regulations or legislation that have been enacted specifically addressing GHG emissions reductions and climate change at the project level. Neither the USEPA nor the FHWA has promulgated explicit guidance or methodology to conduct project-level GHG analysis. As stated on FHWA's climate change website (<http://www.fhwa.dot.gov/hep/climate/index.htm>), climate

change considerations should be integrated throughout the transportation decision-making process—from planning through project development and delivery. Addressing climate change mitigation and adaptation up front in the planning process will facilitate decision-making and improve efficiency at the program level, and will inform the analysis and stewardship needs of project level decision-making. Climate change considerations can easily be integrated into many planning factors, such as supporting economic vitality and global efficiency, increasing safety and mobility, enhancing the environment, promoting energy conservation, and improving the quality of life.

The four strategies outlined by FHWA to lessen climate change impacts correlate with efforts that the State is undertaking to deal with transportation and climate change; these strategies include improved transportation system efficiency, cleaner fuels, cleaner vehicles, and a reduction in travel activity.

Climate change and its associated effects are being addressed through various efforts at the federal level to improve fuel economy and energy efficiency, such as the “National Clean Car Program” and EO 13514 - *Federal Leadership in Environmental, Energy and Economic Performance*.

EO 13514 is focused on reducing GHGs internally in federal agency missions, programs and operations, but also direct federal agencies to participate in the Interagency Climate Change Adaptation Task Force, which is engaged in developing a national strategy for adaptation to climate change.

On April 2, 2007, in *Massachusetts v. EPA*, 549 U.S. 497 (2007), the Supreme Court found that GHGs are air pollutants covered by the Clean Air Act and that the USEPA has the authority to regulate GHG. The Court held that the USEPA Administrator must determine whether or not emissions of GHGs from new motor vehicles cause or contribute to air pollution which may reasonably be anticipated to endanger public health or welfare, or whether the science is too uncertain to make a reasoned decision.

On December 7, 2009, the USEPA Administrator signed two distinct findings regarding GHGs under section 202(a) of the Clean Air Act:

- **Endangerment Finding:** The Administrator found that the current and projected concentrations of the six key well-mixed GHGs—carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)—in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator found that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution which threatens public health and welfare.

Although these findings did not themselves impose any requirements on industry or other entities, this action was a prerequisite to finalizing the USEPA’s Proposed Greenhouse Gas Emission Standards for Light-Duty Vehicles, which was published on September 15, 2009.³ On May 7, 2010 the final Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards was published in the Federal Register.

³ <http://www.epa.gov/oms/climate/regulations.htm#1-1>

USEPA and the National Highway Traffic Safety Administration (NHTSA) are taking coordinated steps to enable the production of a new generation of clean vehicles with reduced GHG emissions and improved fuel efficiency from on-road vehicles and engines. These next steps include developing the first-ever GHG regulations for heavy-duty engines and vehicles, as well as additional light-duty vehicle GHG regulations. These steps were outlined by President Obama in a Presidential Memorandum on May 21, 2010.⁴

The final combined USEPA and NHTSA standards that make up the first phase of this national program apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. The standards require these vehicles to meet an estimated combined average emissions level of 250 grams of carbon dioxide (CO₂) per mile, (the equivalent to 35.5 miles per gallon [MPG] if the automobile industry were to meet this CO₂ level solely through fuel economy improvements). Together, these standards will cut GHG emissions by an estimated 960 million metric tons and 1.8 billion barrels of oil over the lifetime of the vehicles sold under the program (model years 2012-2016).

On November 16, 2011, USEPA and NHTSA issued their joint proposal to extend this national program of coordinated GHG and fuel economy standards to model years 2017 through 2025 passenger vehicles.

4.6.2 Project Analysis

Transportation, particularly motor vehicles, is a large source of GHG emissions. Transportation (including cars, trucks, trains, planes, and ships) is estimated to be responsible for 38 percent of California GHG emissions in 2009.⁵

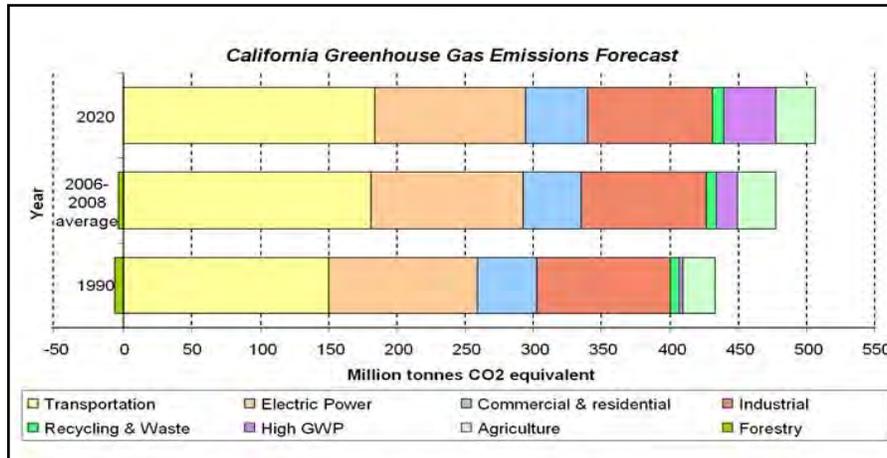
An individual transportation project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may contribute to a potential impact through its *incremental* change in emissions when combined with the contributions of all other sources of GHG.⁶ In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable" (CEQA Guidelines sections 15064(h)(1) and 15130). To make this determination the incremental impacts of the project must be compared with the effects of past, current, and probable future projects.

The AB 32 Scoping Plan mandated by AB 32 contains the main strategies California will use to reduce GHG emissions. As part of its supporting documentation for the Draft Scoping Plan, CARB released the GHG inventory for California (forecast last updated: October 28, 2010). The forecast is an estimate of the emissions expected to occur in the year 2020 if none of the foreseeable measures included in the Scoping Plan were implemented. The base year used for forecasting emissions is the average of statewide emissions in the GHG inventory for 2006, 2007, and 2008.

⁴ <http://epa.gov/otaq/climate/regulations.htm>

⁵ http://www.arb.ca.gov/cc/inventory/pubs/reports/ghg_inventory_00-09_report.pdf

⁶ This approach is supported by the AEP: *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), as well as the South Coast Air Quality Management District (Chapter 6: The CEQA Guide, April 2011) and the US Forest Service (Climate Change Considerations in Project Level NEPA Analysis, July 13, 2009).



Source: <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>

Figure 4-1: California Greenhouse Gas Inventory

Caltrans has created and is implementing the “Climate Action Program” that was published in December 2006⁷ and has taken an active role in directly addressing GHG emission reductions, mainly through two of the primary GHG reducing strategies mentioned at the beginning of this section: (1) improving the transportation system and operational efficiencies and (2) reducing the growth of VMT.

One of the main strategies in the Caltrans’ Climate Action Program to reduce GHG emissions is to make California’s transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0-25 mph) and speeds over 55 mph; the most severe emissions occur from 0-25 mph (see Figure 4-2). To the extent that a project relieves congestion by enhancing operations and improving travel times in high congestion travel corridors GHG emissions, particularly CO₂, may be reduced.

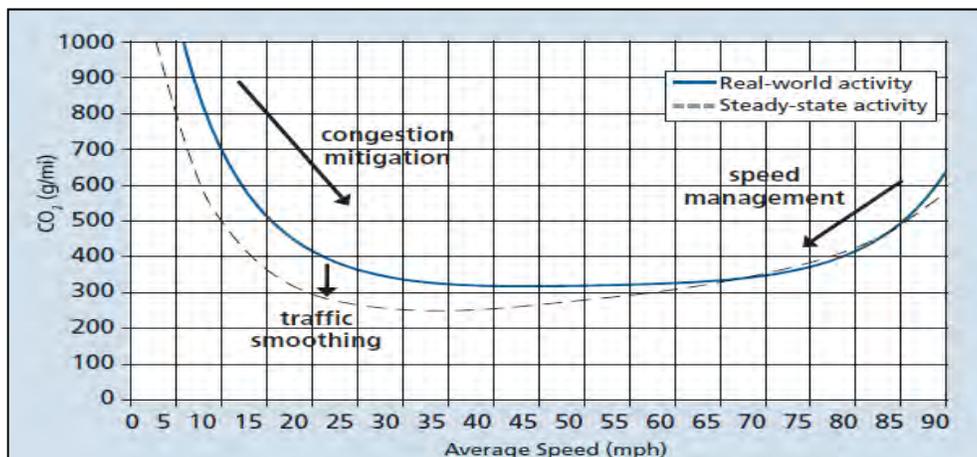


Figure 4-2: Possible Effect of Traffic Operation Strategies in Reducing On-Road CO₂ Emission⁸

⁷ Caltrans Climate Action Program is located at the following web address:

http://www.dot.ca.gov/hq/tpp/offices/ogm/key_reports_files/State_Wide_Strategy/Caltrans_Climate_Action_Program.pdf

⁸ Traffic Congestion and Greenhouse Gases: Matthew Barth and Kanok Boriboonsomsin (TR News 268 May-June 2010) <<http://onlinepubs.trb.org/onlinepubs/trnews/trnews268.pdf>>

In *Chapter 1* of this document, it is written that the purpose of the proposed project is to maintain or improve the existing and future traffic operations in the I-5 North Coast Corridor in order to improve the safe and efficient regional movement of people and goods for the planning design year of 2030.⁹ The proposed HOV/Managed Lanes project is designed to reduce congestion and/or vehicle time delays, as evidenced in *Section 1.3.2* of this document, by better matching traffic demand with a transportation system that can efficiently handle traffic volumes. This project includes two DARs that provide access for HOV/Managed Lanes users directly on to the HOV/Managed Lanes. Multimodal and TDM elements have been incorporated into each build alternative (*Section 2.2.3*).

Travel time and congestion are indicators of the efficiency of the system. In 2006, it took an average of 23–25 minutes to drive the 27 miles in either direction on I-5 between Harbor Drive at the north end of the corridor and La Jolla Village Drive at the south end. During the peak periods in 2006, average southbound travel time increased to 32 minutes in the afternoon (PM peak hour) and 35 minutes in the morning (AM peak hour). Northbound average travel time increased to 30 minutes during the afternoon peak period (PM peak hour). The corridor also experiences consistent southbound weekend congestion, resulting in a corridor travel time of up to 30 minutes, approximately 6 minutes longer than free-flow travel times, which is approximately 24 minutes. The peak-period congestion and travel-time degradation are compounded by the multi-purpose trip nature of this highway that serves not only high volumes of commute trips, but also recreational, regional, interregional, and short-distance local trips.

By 2030, traffic studies show that with no improvements to I-5, congestion is predicted to expand significantly as compared to 2006 conditions, to the extent that the entire length of the corridor in both directions is projected to experience severe congestion and traffic delay during the peak periods (Series 10 traffic model, 2030). In addition, if no improvements are made to I-5, forecasts indicate that the projected increases in average daily traffic will extend the time duration of congestion in both the northbound and southbound directions. In 2006, congestion lasted on average five hours in both the northbound and southbound directions. Without project improvements, as early as 2030, travel time is projected to increase to 53 to 54 minutes in the AM peak period and 40 to 48 minutes in the PM peak period. The period of time for which drivers would experience this congestion also would increase for both AM and PM peak travel periods, from five hours in 2006 to six hours in the future. By 2030, if no improvements are made to I-5, congested travel hours would more than double, with northbound congestion forecast to extend to 9-10 hours and southbound congestion to extend to 13 hours.

Caltrans uses VMT data to analyze the existing and future predicted demand on a particular transportation facility, corridor, or system, to assess the present use of and the predicted future needs for the facility, corridor, or system. This same factor (VMT) is also used to assess the current and future emissions generated from motor vehicles burning fossil fuels, and is generally viewed as a direct relationship: an increase in VMT equals increased air emissions. It should be noted, however, that freeway VMT is only one component of the air quality analysis; vehicle speeds and associated changes in VMT on local roadways are also important factors.

⁹ The GHG analysis uses year 2030, but the traffic discussion in *Section 3.6* clarified that the use of 2030 traffic analysis is equally relevant through 2042 based on the Series 10, 11 and 12 analysis.

Studies conducted for the *I-5 NCC Project* show the corridor would experience significant growth in travel demand, with the growth of VMT occurring regardless of whether highway capacity improvements are made. In other words, the planned improvements to I-5 would not significantly induce travel on the highway; rather, they would make already occurring travel more efficient and reliable. Forecasts show, that with no improvements, VMT would increase by between 20.1 percent (Series 11 traffic model, 2030) and 29.6 percent (Series 12 traffic model, 2040). These percentages indicate that without any improvements, the highway would be unprepared to meet future traffic demand.

However, the results are different with the addition of the proposed four HOV/Managed Lanes (managed for carpools, vanpools, transit, and paying single-occupancy vehicles [SOVs]). With these lanes, the travel forecasts project only an additional 4.0 percent (Series 10 and Series 11 traffic models, 2030) to 5.9 percent (Series 12 traffic model, 2040).

Policies, plans, and programs to reduce transportation emissions are evaluated on a regional and State level, with San Diego County regional policies being implemented through the regional transportation planning and the Regional Transportation Program (RTP) made up of proposed improvement projects, such as the *I-5 NCC Project*. The improvements proposed in the *I-5 NCC Project* are intended to not only implement the regional transportation planning, but also to implement key strategies for reducing GHG emissions by improving the transportation system and operational efficiencies, and reducing the growth of VMT. The purpose of the transportation improvements proposed in the *I-5 NCC Project* are to efficiently move more people, and not necessarily more vehicles, to maintain or improve the existing and future traffic operations in the I-5 North Coast Corridor in order to improve the safe and efficient regional movement of people and goods for the planning design year of 2050, which would therefore reduce regional VMT growth. Specifically, the 8+4 Barrier/Buffer alternatives include only new HOV lanes, with no new general purpose lanes. If determined to be a regional goal in the future, these lanes could be converted to be used only by transit operators.

The composition of transportation projects in San Diego County and the design of the transportation network in the 2050 RTP are heavily influenced by the GHG goals set in SB 375 and targets set in CARB for cars and light trucks. SANDAG has determined that the best way to meet the GHG reductions is to provide the general public and those who move goods with convenient multimodal travel options that maximize productivity and reduce the costs and time associated with travel. The *I-5 NCC Project* would assist in the achievement of this goal by providing incentives for people to carpool and use the HOV/Managed Lanes to help reduce overall growth in VMT. There would be community and regional enhancements that encourage bicycle and pedestrian travel and the project design would accommodate a future BRT. In accordance with SB 375, the building blocks of the SCS include the following:

- A land use pattern that accommodates the region's future employment and housing needs, and that protects sensitive habitats and resource areas.
- A transportation network of public transit and Express Lanes, and highways, local streets, bikeways, and walkways built and maintained with available funds.
- Managing demands on the transportation system (also known as transportation demand management [TDM]) in a way that reduces or eliminates traffic congestion during peak periods of demand.

- Managing the transportation system (also known as transportation system management [TSM]) through measures that maximize the efficiency of the transportation network.
- Innovative pricing policies and other measures designed to reduce VMT and traffic congestion during peak periods of demand.

The 2050 RTP and SCS guide the San Diego region toward a more sustainable future by focusing housing and job growth in urbanized areas, protecting sensitive habitat and open space, and investing in a transportation network that provides residents and workers with transportation options that will help reduce GHG emissions. It is anticipated that with each RTP (every four years) there will be new opportunities to help reduce GHG emissions. The region-wide 2050 RTP/SCS reduces energy consumption and GHG emissions with the following key achievements:

- Meets state GHG reduction mandates.
- Funds \$2.7 billion for regional and local bicycle and pedestrian projects and programs.
- Provides 156 new miles of trolley service and a new trolley tunnel in downtown San Diego.
- Expands and speeds up COASTER service in the North Coast Corridor.
- More than doubles the transit service miles and increases transit frequency in key corridors.
- Creates 130 miles of Express Lanes to facilitate carpools, vanpools, and premium bus service and creates new carpool and telework incentive programs to reduce solo driving.
- Doubles the number of homes and jobs within one-half mile of transit.

The 2050 RTP includes a network that integrates many modes of transportation, with a mix of projects and a wide variety of transportation choices distributed across the region. This multimodal network is expected to promote a substantial increase in carpooling, demands for public transit, and bicycling and walking for work trips both during peak hours and at other times. The 2050 RTP contains the largest investment in bicycle and pedestrian infrastructure of any San Diego RTP to date. These investments are expected to dramatically increase bicycle and walking trips (a 120 percent increase, compared with the No Build Alternative). Carpooling—expressed as a percentage of all modes of transportation used to get to work—is expected to increase by 48 percent. The implementation of the *I-5 NCC Project* is a highway component of this plan and supports the bicycle and pedestrian infrastructure.

The 2050 RTP's transportation infrastructure, including the *I-5 NCC Project* improvements, will also help reduce congestion for autos, trucks, and public transit. The percentage of peak-period auto travel occurring during congested periods is projected to drop from 27.7 percent with no improvements to 17.2 percent under the 2050 RTP. Similarly, congested conditions for peak-period transit travel are projected to drop by nearly half (from 9.1 percent to 5.1 percent) under the 2050 RTP. The number of hours of delay per day for trucks will also be cut in half (from 32,300 hours to 16,000 hours) with the implementation of the 2050 RTP.

This project is included in the 2007 FSTIP as amended in 2009 and 2011, and included in SANDAG's 2050 Regional RTP/SCS and the 2012 RTIP. Traffic conditions projected for 2030 in the 2010 Draft EIR/EIS are consistent with current projections (see discussion of this topic in *Sections 1.3.2 and 3.6* of this Final EIR/EIS).

4.6.3 Quantitative Analysis

To estimate the potential beneficial or negative effect of the proposed project on San Diego regional GHG levels, the CARB EMFAC 2007 vehicle emissions model for the SDAB was used to calculate CO₂ emissions for the San Diego metropolitan area with and without the proposed project.

In order to determine regional GHG emissions, the I-5 Northcoast Series 11 GHG Regional Effects travel demand models were utilized for the build and no build scenarios. Regional fuel consumption and CO₂ emissions were modeled with and without the build scenario for each respective time horizon.

The results of the regional fuel consumption and CO₂ emissions models are shown in Table 4.2.

Table 4.2: Average Difference in Regional CO₂ Emissions

Alternative	2006 Existing	2030 No Build	2030 10+4 w/DARs	2030 8+4 w/DARs
Model Year	2006	2030	2030	2030
Fuel Consumption (gallons/day)	4,139,840	5,866,570	5,829,250	5,830,190
Efficiency Fuel Savings (gallons/day)	N/A	N/A	37,320	36,380
Diesel Fuel Consumption (gallons/day)	497,950	655,770	657,040	657,150
Efficiency Fuel Savings (gallons/day)	N/A	N/A	-1,270	-1,380
Regional CO ₂ Annual Average Emissions (tons/day)	44,940	64,260	63,910	63,920
Efficiency CO ₂ Savings (tons/day)	N/A	N/A	350	340

Compared to the No Build alternative, implementation of the 10+4 Barrier/Buffer alternatives is estimated to reduce 2030 CO₂ emissions in the San Diego Region by up to 350 tons per day. Compared to the No Build alternative, implementation of the 8+4 Barrier/Buffer alternatives is estimated to reduce 2030 CO₂ emissions in the San Diego Region by up to 340 tons per day. These decreases would be due to the decreased congestion along the corridor and improved travel times along the corridor. Therefore, it is concluded that regional transportation efficiency would be increased and overall CO₂ emission would be reduced.

Currently, the emissions modeling software is limited to generating output only for freeway mainlines, and not local streets. Therefore, the above analysis does not reflect any reduction in GHG emissions that could result from reduced queue lengths at ramp meters and intersections. Because the proposed project would reduce delay at these locations, there is the potential for further reduction in GHG emissions from vehicles spending less time idling.

4.6.4 Construction Emissions

GHG emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by on-site construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases. In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the GHG emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

Air Quality measures to minimize emissions for construction equipment include:

- Use low-emission on-site mobile construction equipment where feasible.
- Maintain equipment in tune per manufacturer's specifications.
- Retard diesel engine injection timing by two to four degrees unless not recommended by manufacturer (due to lower emission output in-place).
- Use reformulated, low-emission diesel fuel.
- Substitute electric and gasoline-powered equipment for diesel-powered equipment where feasible.
- Use catalytic converters on gasoline-powered equipment.
- Do not leave inactive construction equipment idling for prolonged periods.

Traffic and Transportation measures to minimize energy consumption and GHG emissions include the following:

- Construction phasing plan to identify sequence of construction and to help minimize traffic delays.
- Traffic delays controlled to the extent feasible during periods of many simultaneous construction operations.
- Comprehensive TMP to further minimize delays during construction. TMP is designed to increase driver awareness, ease congestion, and minimize delay during construction. Components include:
 - Public Awareness Program including changeable message signs, public service announcements via media, and 800 number.
 - Traffic Operations Strategies Program, which includes ongoing evaluation of traffic operations and provides incident response during construction, CHP construction zone speed reduction enforcement, and alternate route strategies.

Construction of the proposed project would result in GHG emissions, which are primarily associated with use of off-road construction equipment and vehicles, with a smaller contribution from on-road construction and worker vehicles. The numbers reported in *Table 4.3* below are estimated annual GHG construction emissions using Sacramento Metropolitan Air Quality District (SMAQMD) Road Construction Model - Version 6.3.2 to calculate emissions for the proposed bridge construction and roadway widening. Assumptions are made by the model for the relative mix of CO₂, CH₄, and N₂O emissions from diesel fuel used in off-road and on-road vehicles as reported in the California Climate Action registry's (CCAR) General Reporting Protocol.

Table 4.3: Estimated Annual Construction GHG Emissions

Improvement	Tons CO ₂	MT CO ₂ E
Bridge Construction	399	365
Roadway Widening	1,938	1,764
TOTAL	2,337	2,129

Source: Dudek Draft Greenhouse Gas Assessment, October 2011
 CO₂E = Carbon Dioxide Equivalent; MT = metric tons.

When considered on a global scale and amortized over the life of the proposed improvements, the projected construction emissions are relatively minor. In addition, as previously stated, the *I-5 NCC Project* improvements are included in the 2050 RTP/SCS transportation network improvements phased project list; therefore, the *I-5 NCC Project* improvements and associated emissions were analyzed in the 2050 RTP/SCS EIR. The 2050 RTP/SCS EIR estimated annual construction emissions from construction activities, including worker vehicle trips, transport of materials to and from the construction site, and operation of construction equipment.

Conclusion

While construction would result in a slight increase in GHG emissions during construction, the project would result in a decrease in operational GHG emissions when comparing the future build to the future no-build conditions. Operational improvements are projected to result in a decrease of approximately 124,000 tons per year of CO₂, relative to construction emissions of less than 3,000 tons per year. As a result, the net impact would be beneficial and, therefore, less than significant. Caltrans is firmly committed to implementing measures to help reduce GHG emissions. These measures are outlined in the following section.

4.6.5 AB 32 Compliance

Caltrans continues to be actively involved on the Governor's Climate Action Team as CARB works to implement the Governor's EOs S-3-05 and S-01-07 and help achieve the targets set forth in AB 32. Many of the strategies Caltrans is using to help meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year. Former Governor Arnold Schwarzenegger's Strategic Growth Plan calls for a \$222 billion infrastructure improvement program to fortify the State's transportation system, education, housing, and waterways, including \$100.7 billion in transportation funding during the next decade. The Strategic Growth Plan targets a significant decrease in traffic congestion below today's level and a corresponding reduction in GHG emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together yield the promised reduction in congestion. The Strategic Growth Plan relies on a complete systems approach to attain CO₂ reduction goals: system monitoring and evaluation, maintenance and preservation, smart land use and demand management, and operational improvements as depicted in *Figure 4-3*.



Figure 4-3: The Mobility Pyramid

Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans works closely with local jurisdictions on planning activities but does not have local land use planning authority. Caltrans also assists efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, as well as, light- and heavy-duty trucks; Caltrans is doing this by supporting ongoing research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by the USEPA and CARB.

Table 4.4 summarizes Caltrans' and Statewide efforts for implementation in order to reduce GHG emissions. For more detailed information about each strategy, please see Climate Action Program at Caltrans (December 2006); it is available at <http://www.dot.ca.gov/docs/ClimateReport.pdf>.

Table 4.4: Climate Change Strategies

Strategy	Program	Partnership		Method/Process	Estimated CO ₂ Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	0.975	7.8
Operational Improvements & ITS Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	0.007	2.17
Mainstream Energy & GHG into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, California Environmental Protection Agency (CalEPA), CARB, California Energy Commission		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated
Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services		Fleet Replacement B20 B100	0.0045	0.0065 0.45 0.0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team		Energy Conservation Opportunities	0.117	0.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries		2.5% limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix	1.2 0.36	4.2 3.6
Goods Movement	Office of Goods Movement	CalEPA; CARB; Business, Transportation, and Housing Agency; MPOs		Goods Movement Action Plan	Not Estimated	Not Estimated
TOTAL					2.72	18.18

MMT = million metric tons

The following measures are also included in the project (as described in *Chapter 2* of this Final EIR/EIS) to reduce the GHG emissions and potential climate change impacts from the project:

1. Caltrans and the California Highway Patrol are working with regional agencies to implement ITS to help manage the efficiency of the existing I-5 highway system. ITS commonly consists of electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
2. Park-and-ride facility installation or enhancement by Caltrans. In addition, Caltrans, SANDAG, participating corporations, and local governments are providing ridesharing services and park and ride facilities to help manage the growth in demand for highway capacity.
3. Landscaping reduces surface warming, and through photosynthesis, decreases CO₂. The project proposes extensive landscaping within I-5 right-of-way (road edge and median, as appropriate), including shrubs and trees. This would help offset tons of CO₂ per year.
4. Use of energy efficient lighting, such as LED traffic signals. LED bulbs cost \$60 to \$70 apiece but last five to six years, compared to the one-year average lifespan of the incandescent bulbs previously used. The LED bulbs themselves consume 10 percent of the electricity of traditional lights, which would also help reduce CO₂ emissions.¹⁰
5. According to Caltrans Standard Specifications, the contractor must comply with all of the local Air Pollution Control District's (APCD) rules, ordinances, and regulations in regards to air quality restrictions. Specifically, as noted in *Section 3.14* of this Final EIR/EIS, inactive construction equipment would not be allowed to idle for prolonged periods.

4.6.6 Adaptation Strategies

“Adaptation strategies” refer to how Caltrans and others can plan for the effects of climate change on the State’s transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds by longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

At the federal level, the Climate Change Adaptation Task Force, co-chaired by the Council on Environmental Quality (CEQ), the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA), released its interagency report on October 14, 2010 outlining recommendations to President Obama for how federal agency

¹⁰ Knoxville Business Journal, “LED Lights Pay for Themselves,” May 19, 2008 at <http://www.knoxnews.com/news/2008/may/19/led-traffic-lights-pay-themselves/>.

policies and programs can better prepare the United States to respond to the effects of climate change. The Progress Report of the Interagency Climate Change Adaptation Task Force recommends that the federal government implement actions to expand and strengthen the nation's capacity to better understand, prepare for, and respond to climate change.

Climate change adaptation must also involve the natural environment as well. Efforts are underway on a Statewide-level to develop strategies to cope with impacts to habitat and biodiversity through planning and conservation. The results of these efforts will help California agencies plan and implement mitigation strategies for programs and projects.

On November 14, 2008, former Governor Arnold Schwarzenegger signed EO S-13-08 which directed a number of State agencies to address California's vulnerability to sea level rise caused by climate change. This EO set in motion several agencies and actions to address the concern of sea level rise.

The California Natural Resources Agency (Resources Agency) was directed to coordinate with local, regional, State, and federal public and private entities to develop the California Climate Adaptation Strategy (December 2009),¹¹ which summarizes the best known science on climate change impacts to California, assesses California's vulnerability to the identified impacts and then outlines solutions that can be implemented within and across State agencies to promote resiliency.

The strategy outline is in direct response to EO S-13-08, which specifically asked the Resources Agency to identify how State agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. Numerous other State agencies were involved in the creation of the Adaptation Strategy document, including the California Environmental Protection Agency; Business, Transportation and Housing; Health and Human Services; and the Department of Agriculture. The document is broken down into strategies for different sectors that include: Public Health; Biodiversity and Habitat; Ocean and Coastal Resources; Water Management; Agriculture; Forestry; and Transportation and Energy Infrastructure. As data continue to be developed and collected, the State's adaptation strategy will be updated to reflect current findings.

The Resources Agency was also directed to request the National Academy of Science to prepare a Sea Level Rise Assessment Report by December 2010¹² to advise how California should plan for future sea level rise. The report is to include:

- relative sea level rise projections for California, Oregon, and Washington taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge, and land subsidence rates;
- the range of uncertainty in selected sea level rise projections;
- a synthesis of existing information on projected sea level rise impacts to State infrastructure (such as roads, public facilities, and beaches), natural areas, and coastal and marine ecosystems; and
- a discussion of future research needs regarding sea level rise.

¹¹ <http://www.energy.ca.gov/2009publications/CNRA-1000-2009-027/CNRA-1000-2009-027-F.PDF>

¹² Pre-publication copies of the report, *Sea Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future*, were made available from the National Academies Press on June 22, 2012. For more information, please see http://www.nap.edu/catalog.php?record_id=13389.

Prior to the release of the final Sea Level Rise Assessment Report, all State agencies that are planning to construct projects in areas vulnerable to future sea level rise were directed to consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. Sea level rise estimates should also be used in conjunction with information regarding local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge, and storm wave data.

Interim guidance has been released by The Coastal Ocean Climate Action Team (CO-CAT) as well as Caltrans as a method to initiate action and discussion of potential risks to the states infrastructure due to projected sea level rise.

All projects that have filed a Notice of Preparation (NOP) as of the date of the EO S-13-08, and/or are programmed for construction funding through 2013, or are routine maintenance projects may, but are not required to, consider these planning guidelines.

EO S-13-08 also directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance, and operational improvements of the system and economy of the State. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Currently, Caltrans is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for relative sea level rise and other climate change effects, Caltrans has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, Caltrans will be able review its current design standards to determine what changes, if any, may be warranted in order to protect the transportation system from sea level rise.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is an active participant in the efforts being conducted in response to EO S-13-08 and is mobilizing to be able to respond to the National Academy of Science Sea Level Rise Assessment Report.

The NOP for this project was filed prior to this EO (October 20, 2004), and if approved, will be in final design (rather than construction) through 2013. Although exempt from this requirement, sea level rise review relative to I-5 crossings of coastal lagoons and their primary tributaries was completed.

The following screening criteria were considered:

- Project design life, 20+ years
- Redundancy/alternative routes
- Anticipated travel delays
- Good movement/interstate commerce
- Evacuations/emergencies
- Traveler safety, in delaying the project to incorporate sea level rise design

- Expenditure of public funds
- Scope of project
- Interconnectivity issues with local streets and roads
- Environmental constraints, i.e., increase in project footprint into environmentally sensitive areas

The Ocean Protection Council adopted Statewide sea level rise values (*Table 4.5*), and a sea level rise interim guidance document in March 2011. Caltrans participated in the development of this first set of Statewide scenarios. This common set of values allows all State agencies to plan for sea level rise with the same assumptions. This document would be revised when the NAS releases their final sea level rise values, but in the interim, provided a standardized set of assumptions to use when projecting potential sea level rise effects.

Table 4.5: Sea Level Rise Projections Using 2000 Baseline

Year	Rise	Average of Models	Range of Models
2030	--	7 in	5-8 in
2050	--	14 in	10-17 in
2070	Low	23 in	17-27 in
	Medium	24 in	18-29 in
	High	27 in	20-32 in
2100	Low	40 in	31-50 in
	Medium	47 in	37-60 in
	High	55 in	43-69 in

For dates after 2050, *Table 4.5* includes three different values for sea level rise; based on low, medium, and high GHG emission scenarios. These values are based on the Intergovernmental Panel on Climate Change emission scenarios as follows: B1 for low projections, A2 for medium projects, and A1F1 for high projections.

The projected values show narrow ranges of rise for the relative short term and increasing ranges for time frames farther into the future. The scenarios predict fairly consistent values in the short term, but increasingly wide ranges of value in the longer term due to increasing uncertainty. These projections vary depending upon how quickly the international community reduces GHG emissions. There is no specific probability of occurrence for any of the projected scenarios—they represent different possible global climate conditions and the amount of projected sea level rise for the respective conditions.

Predicted Consequences of Sea Level Rise on the I-5 NCC Project: Section 3.9 of this Final EIR/EIS discusses lagoon and creek crossing hydrology/hydraulics, including the impacts anticipated during the 100-year flood event and projections of sea level rise for 2100. Preliminary design studies indicate ample freeboard to accommodate the 100-year flood event and projected 2100 sea level rise at all water crossings except Carmel Creek. At that location, there would be a deficiency of 0.7 foot of freeboard during a 100-year flood event. This represents a temporary build up of water east of I-5, however, and freeway access would be anticipated to be maintained.

Application of the Screening Criteria to the I-5 NCC Project: In considering the screening criteria listed above, the project design life is expected to be approximately 40 years (to 2050). I-5 is a critical route for commercial goods movement.

In the (unexpected) event that a tidal event inundates the freeway, there are several alternative routes to I-5 in this area. El Camino Real, less than a mile east of the freeway, is a parallel north-south route. Further east, I-15 is connected to I-5 by several local streets, as well as the SR-56, SR-76, and SR-78 freeways. These facilities could also serve as evacuation routes, if needed. The ITS elements of the existing facility and those proposed as part of the *I-5 NCC Project*, would improve real time responses to emergency situations. The anticipated travel delay from an event would be minor to moderate, lasting from a few hours to possibly a few days.

The addition of a new structure and raising the freeway approaches to the new structure would add millions to the project and ongoing additional maintenance for this area also would be incurred to support the raised approaches to the structure. It would also necessitate reconstructing portions of Carmel Valley Road west and east of the project, Sorrento Valley Road to the west, and possibly reconstructing the connections of El Camino Real and SR-56 to Carmel Valley Road. In addition to the above design and cost consideration, the redesign would increase the project footprint in the Carmel Valley area. The project would likely encroach into the habitat of CVREP to the west and Los Peñasquitos Lagoon to the west. It could also impact existing businesses immediately east of the freeway.

Further delays to implementing the project would cause longer travel times, increase congestion and possibly lead to additional accidents.

Adaptation Strategies

Adaptation strategies to reduce the deficiency include removing existing sediment under the existing bridge at Carmel Valley Creek and temporary freeway closures. Alternative routes exist so that traffic could be rerouted during periods of minor to moderate inundation. Based on the results from the screening criteria discussion, the adaptation strategies are considered appropriate for the risk level identified.

4.7 Mitigation Measures for Significant Impacts under CEQA

Supporting documentation of all CEQA resource evaluation is provided in *Chapter 3* of this Final EIR/EIS. Discussion of all impact avoidance, minimization, and/or compensation measures is under the appropriate topic headings in *Chapter 3*. Implementation of these measures would reduce significant impacts to below a level of significance under CEQA for Cultural Resources, Paleontological Resources, Hazards and Hazardous Materials, Noise, and Biological Resources (including Natural Communities; Wetlands and Other Waters; Plant, Animal, and Threatened and Endangered Species; and Conformance with Local Policies, Ordinances, and Conservation Plans). Significant project-level impacts to community character and cohesion would remain significant for the 10+4 Barrier alternative. Project-level and cumulative impacts to visual resources would remain significant and unmitigable under any of the build alternatives. All other project-related direct and cumulative effects would be reduced to below a level of significance through proposed design minimization, as described in *Chapter 3* and *Section 4.6* above. The avoidance, minimization, and mitigation measures are incorporated into the ECR, which comprises a program for reporting on or monitoring implementation of the measures, pursuant to CEQA Guidelines Section 15091(d).



3

Chapter 5 – Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process. The input and advice helps to determine the scope of environmental documentation, the level of analysis, potential impacts, mitigation measures, and related environmental requirements. Projects as large as the *I-5 NCC Project* benefit from federal, State, and local agency consultation and public participation. This participation has been accomplished through a variety of formal and informal methods, including: scoping meetings, project development team meetings, interagency coordination meetings, public meetings on the Draft and Supplemental Draft environmental documents, a Major Investment Study, and direct coordination with individuals regarding proposed project features as well as potential property impacts. Numerous community meetings with service groups, homeowners associations, and business organizations have helped gain an understanding of the public concerns as the project is developed. This chapter summarizes the results of Caltrans' and FHWA's efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

5.1 Project Scoping Process

In 2001, Caltrans held preliminary public scoping meetings, prior to environmental analysis, to introduce the project concept. These preliminary public scoping meetings were held on the following dates and locations:

- March 27, 2001 in Carlsbad
- April 17, 2001 in Encinitas
- May 16, 2001 in Del Mar
- June 21, 2001 in Oceanside

Notice of Intent

On January 12, 2004, a Notice of Intent (NOI) was published in the Federal Register in accordance with NEPA, to advise the public that the environmental document would be prepared and to provide supplementary information about the proposed action and alternatives. Comments and suggestions were invited from all interested parties. The NOI was issued on January 5, 2004, for a 30-day review period. A copy of the NOI is included as *Figure 5-1.1*, below.

Comments on the NOI were received from the following:

- USEPA (concerns focused on establishment of purpose and need; impacts to water resources, biological resources, and air quality; impacts to cultural resources; impacts to environmental justice communities; and analysis of cumulative impacts)
- USFWS (requested in-depth discussion on a range of reasonable project alternatives that avoid or lessen significant effects of the proposed project; address consistency with habitat conservation plans; address edge-effects; address construction and operational noise levels; and discuss BMPs)

The formal scoping meetings were held in 2004 at the following locations:

- January 7, Carlsbad Library - George and Patricia Gowland Meeting Room - 1775 Dove Lane

- January 13, Oceanside High School - Multi Purpose Room - 100 S. Horn Street
- January 27, Encinitas Community Center - Room 142B - 1140 Oakcrest Park Drive
- February 10, Solana Beach City Hall - Council Chambers - 635 South Coast Highway 101
- February 17, Del Mar City Hall - Council Chambers Room 1050 Camino Del Mar
- March 2 San Diego - Westfield Shopping Town UTC - Forum Hall behind Wells Fargo Bank

Notice of Preparation

On October 20, 2004, a Notice of Preparation (NOP) was filed with the State Clearinghouse and San Diego County Clerk, and distributed to appropriate State and local agencies and organizations. The review period for the NOP was from October 20 to December 14, 2004. Copies of the NOP are included as *Figures 5-1.2a* and *5-1.2b*, below.

Comments on the NOP were received from the following:

- USFWS (requested an in-depth alternatives analysis; identification and consideration of listed and sensitive wildlife species and other biological resources within and adjacent to the project area, as well as associated impact avoidance; discussion of the project's consistency with applicable habitat conservation plans; identification and discussion of edge effects and applicable best management practices)
- CCC (requested an in-depth alternatives analysis, specifically other modal alternatives, and to focus on impact avoidance and restoration to sensitive resources)
- California Department of Fish and Wildlife (CDFW; previously California Department of Fish and Game) (requested in-depth discussion on a range of reasonable project alternatives that avoid or lessen significant effects of the proposed project; address consistency with habitat conservation plans; address edge-effects; address construction and operational noise levels; and discuss BMPs)
- City of San Diego Councilman Scott E. Peters (requested examination of alternative routing for the proposed LOSSAN rail expansion project)
- City of San Diego (requested that a waste management plan be prepared for the project prior to demolition or grading in consultation with the City of San Diego Environmental Services Department and consideration of recycled water use for landscaping irrigation)
- City of Del Mar (concerned with wetland and traffic impacts; requested traffic improvements/modifications at various intersections)
- City of Solana Beach (requested analysis of four additional alternatives and study and installation of sound attenuation during environmental review, planning, and design)
- City of Carlsbad (requested notification of the availability of the Draft EIR)
- San Dieguito Lagoon Committee (requested in-depth analysis of wetland, floodway, and floodplain impacts; a mitigation program for potential impacts; and discussion of project alternatives)
- NAHC (requested various actions to identify and mitigate project-related impacts on cultural resources)
- Willow Design, Inc. (proposed a conceptual study of two independent "side-by-side" freeways)
- Faye Detsky-Weil (concerned with increased traffic and decreasing quality of life, lack of transit alternatives, and right-of-way takes)
- Morton Printz (requested an extension of the public comment period)

Additional Project Outreach

Two newsletters were sent out and/or made available to the public. The first edition was mailed directly to more than 100,000 addresses within one mi east or west of the freeway. A postcard was also sent out to the same area informing residents that the second edition of the newsletter, along with additional project information, was available on the project web site at www.keepsandiegomoving.com. The project web site has been frequently updated providing accurate and timely information to anyone who is interested. Additional non-traditional outreach occurred by posting Scoping Meeting flyers in Spanish/English language at various establishments including: libraries, Mexican markets, churches, schools, chambers of commerce, city halls, senior centers, community centers, Boys & Girls Club, Headstart Center. Representatives from the Environmental and Public Information branches also attended Farmers Markets and Food Court locations along the corridor to discuss the project and upcoming scoping meetings with interested freeway users. Please see Section 8.1 Community Outreach, of the Community Impact Assessment for a more thorough list of outreach efforts.

Prior to formal scoping activities described in *Section 5.1*, above, community interaction was sought through informational meetings between December 1997 and January 1998 as part of the North Coast Transportation Study that served as the MIS developed in partnership with SANDAG. After completion of the MIS and the PSR (PDS) in 2000, four informational meetings were held between March and June 2001 in Del Mar, Solana Beach, Carlsbad, and Oceanside. In October 2000, representatives from SANDAG, city staff, and private citizens met with Caltrans project team members to begin the process of identifying opportunities for enhancement features to integrate natural and cultural resources into freeway improvements. Basic functions of the study were identified as intended to “enhance visual characteristics” and “preserve community character.” The team developed 71 enhancement strategies to support these functions that were presented to elected officials of each city. As part of community enhancement planning, public input was solicited at the following meetings:

- In San Diego on April 19, 2006 at the Sycamore Ridge School
- In Encinitas on August 23, 2005 at the Paul Ecke Central Elementary School
- In Encinitas on August 24, 2005 at Encinitas City Hall
- In Encinitas on August 25, 2005 at Cardiff Elementary School
- In Carlsbad on May 2, 2006 at the City of Carlsbad
- In Oceanside on June 20, 2006 at the City of Oceanside

Since 2004, Caltrans Project Management for the *I-5 NCC Project* has attended meetings, conducted surveys, presented handouts/mailers, and given presentation to local communities and planning groups; homeowners associations; chambers of commerce; city council meetings; and local politician sponsored meetings in an effort to update interested parties and the public on the status of the project. These meetings allowed communities to review project information on proposed the 10+4 and 8+4 alternatives and provide informal public input.

In 2004, additional project outreach was held on the following dates and locations:

- January 7, 2004 in Carlsbad
- January 13, 2004 in Oceanside
- January 27, 2004 in Encinitas
- February 10, 2004 in Solana Beach
- February 17, 2004 in Del Mar
- March 2, 2004 in San Diego

The following concerns were identified:

- Purpose, need, and location for potential widening
- Private property impacts
- Community cohesiveness
- Traffic, pedestrian, and bicycle
- Noise
- Growth
- Parks and views, including the sewer treatment plant
- Resource impacts: biological resources (including lagoons), air quality, and water quality
- Cumulative impacts

As noted above, meetings were held from January 2005 to October 2006 with Caltrans, SANDAG, and/or council and staff members of the cities to identify development opportunities and constraints for the project as part of the I-5 North Coast Community Enhancement Plan.

These meeting were held on:

- February 22, 2005, and January 12, 2006, with the City of San Diego
- January 18, 2005, and October 10, 2006, with the City of Del Mar
- February 4, 2005, and July 6, 2006, with the City of Solana Beach
- February 2, 2005, June 22, 2005, March 21, 2006, and July 10, 2006, with the City of Encinitas
- January 21, 2005, November 22, 2005, January 31, 2006, and July 6, 2006, with the City of Carlsbad
- March 2, 2005, May 15, 2006, July 6, 2006, and December 19, 2006, with the City of Oceanside

In addition, monthly traffic working meetings occurred from February 2005 to January 2007 between Caltrans staff, city engineers, and planning personnel.

5.2 Hearings on the Draft and Supplemental Draft EIR/EIS

In 2010, five public hearings were held in the open-house format to present details about the proposed project design, the alternatives being considered, and findings from the environmental studies, as identified in the Draft EIR/EIS prepared for the project. The hearings were held on the following dates and locations:

- July 27, 2010 at the Encinitas Community and Senior Center in Encinitas
- August 3, 2010 at the Westfield University Town Center Forum Hall in San Diego
- August 17, 2010 at the Faraday Center in Carlsbad
- August 24, 2010 at Skyline Elementary School in Solana Beach
- September 9, 2010 at the Oceanside High School Multipurpose Room in Oceanside

Following public circulation and review of the Draft EIR/EIS, numerous comments were received from members of the public and public agency representatives requesting:

- Updates on studies by others regarding North County lagoons that were in draft form or being implemented when the Draft EIR/EIS was released
- Clarification of specific impact and avoidance/minimization/mitigation measures related to lagoons crossed by the I-5 right-of-way

A Supplemental Draft EIR/EIS was prepared and circulated in August through October 2012. The document focused on lagoon bridge optimization studies completed between 2010 and 2012, and refined lagoon bridge design based on those studies. Issues related to regional and community enhancements, water quality and sea level rise review were also refined in the document. A public hearing on that document was held in the open-house format on September 19, 2012 at the Encinitas Community and Senior Center.

Verbal and written comments were submitted at the hearings, and were also received during the public review period of the Draft EIR/EIS (a total of 5,332 comments) and Supplemental EIR/EIS (a total of 337 comments), and are addressed in full in this Final EIR/EIS.

5.3 Project Development Team Meetings

An *I-5 NCC Project* PDT was assembled by Caltrans and FHWA in 2000 to serve as the technical advisory committee and internal decision-making body for the project. The PDT consists of both Caltrans staff representatives from Program Management and the various technical divisions (such as Environmental Planning, Design, Right of Way, etc.), FHWA, and representatives from other interested agencies. The PDT met (and continues to meet) monthly during the course of project development as issues arise requiring technical direction or resolution.

Agencies participating in the PDT include:

- USEPA
- USFWS
- USACE
- NOAA/NMFS
- CDFW
- CCC
- RWQCB
- SANDAG

Caltrans, SANDAG, and the Cities of San Diego, Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside also worked closely as partners in the development of the proposed project.

Cooperating Agencies

There is a need for early coordination and cooperation with federal, State, and local agencies. According to CEQ 40 CFR 1508.5, "cooperating agency" means any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. Upon request of the lead agency, any federal agency with jurisdiction by law shall be a cooperating agency. Any other federal agency with special expertise with respect to any environmental issue may be a cooperating agency. An agency may request to be designated as a cooperating agency. *Table 5.1* below identifies the cooperating agencies coordination, particularly focused on the NEPA-Section 404 Integration Process discussed in more detail in *Section 5.4*.

On April 27, 2004 FHWA invited USEPA, USFWS, USACE, and NOAA/NMFS to become cooperating agencies. On May 20, 2004 USEPA declined invitation to participate as a cooperating agency, since USEPA is participating via the NEPA 404 MOU process (see *Section 5.4*). FHWA received agreement to participate as a cooperating agency from USFWS, USACE, and NOAA/NMFS.

On May 3, 2010 FHWA sent an invitation and subsequently received agreement to participate as a cooperating agency from the U.S. Coast Guard. In a letter dated December 13, 2012 (*Figure 5-3.1*), the U.S. Coast Guard notified Caltrans that bridges proposed over the following waterways would meet the criteria for Advance Approval of bridges pursuant to 33 CFR 115.70, and no individual Coast Guard permits would be needed for them because these waterways are not navigated by anything larger than small motorboats: San Diego River, Los Peñasquitos Lagoon and River, San Dieguito Lagoon, San Elijo Lagoon, Batiquitos Lagoon, and Agua Hedionda Lagoon. The letter also stated that the I-5 bridge crossings of the following waterways are located on reaches of the waterways considered to be non-navigable and therefore, under the provisions of the Coast Guard Authorization Act of 1982, do not require Coast Guard involvement for bridge permit purposes: Buena Vista Lagoon, San Luis Rey River, Carmel Valley Creek, and Loma Alta Creek.

5.4 NEPA – Section 404 Integration Process

On December 10, 2004, Caltrans signed an interagency MOU committing to integrate NEPA and Section 404 of the Clean Water Act in transportation planning, programming, and implementation stages for federal aid surface transportation projects requiring a Permit under Section 404. Under the MOU process, the FHWA, USFWS, NOAA/NMFS, USACE, and USEPA were asked to concur on the following two checkpoints: (1) Purpose and Need Statement, and (2) identification of the range of alternatives and consideration of the criteria used to select and analyze the range of alternatives to be studied in the EIR/EIS. The Preliminary LEDPA Determination and Conceptual Mitigation Plan were identified as issues to be discussed for concurrence after document circulation.

The consolidation of these processes provide for more timely decision making while improving the overall quality of those decisions. Caltrans coordination efforts included inviting for consultation non-signatory State regulatory agencies: the CDFW, CCC staff, and the RWQCB to implement the MOU. Letters concurring on the project purpose and need, screening criteria, and the range of alternatives under study were received from USFWS, NOAA/NMFS, USACE, and USEPA (*Figures 5-4.1 through 5-4.12*). *Table 5.1* provides the dates of the NEPA/404 meetings held during the project development process.

As anticipated, concurrence regarding the LEDPA Determination and Conceptual Mitigation Plan was the subject of coordination following circulation of the Draft EIR/EIS. Refinement of the 8+4 Buffer alternative (identified as the locally preferred alternative, or LPA, in 2011, and currently identified as the Preferred Alternative) was integral to these discussions. Letters of concurrence on the Preliminary LEDPA and the Conceptual Mitigation Plan (Resource Enhancement and Mitigation Program [REMP]) were received from USFWS, NOAA/NMFS, USACE, and USEPA (*Figures 5-4.13 through 5-4.16*) on the dates indicated in *Table 5.1*. Coordination efforts related to lagoon bridge optimization studies and resolution of project-related issues between November 2010 and release of this Final EIR/EIS are included in *Table 5.1*.

Table 5.1: NEPA/404 Consultation and Coordination

Date	Topic(s)
11/12/2003	Kickoff Meeting
03/03/2004	Meeting discussed: Purpose and Need
04/20/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
05/20/2004	Received USEPA letter that declined FHWA's invitation to participate as a cooperating agency, since USEPA is participating via the NEPA 404 MOU process
07/28/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration, and list of proposed projects with independent utility and logical termini (I-5 / SR-56 and I-5 / Lomas Santa Fe Drive)
09/28/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
11/02/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
December and January 2005	Concurrence with Purpose and Need: USACE 1/19/2005; USEPA 1/10/2004[sic]; USFWS 1/3/2005; NOAA 12/17/2004
01/20/2005	Field Review. Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
03/23/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, and Biological resources
04/27/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan and Proposed projects with independent utility and logical termini (I-5 HOV Extension and I-5 / Genesee Avenue Interchange projects)
May and June 2005	Concurrence with Screening Criteria: USACE 6/29/2005; USFWS 5/25/2005; USEPA 5/23/2005; NOAA 5/19/2005
09/13/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
October 2005	Concurrence with I-5 / Genesee Avenue Interchange Improvements Project as independent from the I-5 NCC Project. USFWS 11/1/2005; USACE 10/26/2005; USEPA 10/26/2005; NOAA 10/21/2005
11/15/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
11/15/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
01/19/2006	Meeting discussed: Lagoon Restoration and Coastal Habitat
03/30/2006	Meeting discussed: Lagoon restoration, Opportunities and Constraints for future community enhancements
06/06/2006	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan and Proposed projects
08/01/2006	Meeting discussed: Geotechnical investigation, Coastal access, and lagoon restoration
August 2006	Concurrence with Range of Alternatives: USEPA (not dated); USFWS 8/24/2006; USACE 8/21/2006; NOAA 8/7/2006
09/21/2006	Meeting discussed: San Diego Bay National Wildlife Refuge Comprehensive Conservation Plan - Habitat Enhancement and Restoration Proposals
06/06/2007	Meeting discussed: Lagoon restoration, proposed projects with independent utility and logical termini (I-805 DAR with HOV Extension), and CMIA discussion
July 2007	Concurrence with I-805 DAR with HOV Extension as independent from the I-5 NCC Project; NOAA 7/10/07; USFWS 6/6/2007; Verbal at meeting 5/22/08 USEPA and USACE

Table 5.1 (cont.): NEPA/404 Consultation and Coordination

Date	Topic(s)
05/22/2008	Meeting discussed: I-5 NCC Project status, status of other projects along I-5, coordination with mass transit and not to preclude LOSSAN, lagoons, and wildlife corridors
09/23/2010	Field review of the North Coast Corridor by Caltrans and EPA staff
10/28/2010	Dr. Michael Josselyn presented a summary of findings based on Phase 2 lagoon bridge optimization studies (Wetland Enhancement Opportunities Using the Hydrodynamic Approach by Optimization of Bridges Over San Diego Region Coastal Lagoons). Caltrans provided an update on the project and NEPA/404 Memorandum of Understanding (MOU) process
11/23/2010	Caltrans and EPA coordination regarding the Draft EIR/EIS
12/07/2010	Caltrans and EPA additional coordination regarding the Draft EIR/EIS
01/26/2011	Caltrans provided updates on the NEPA/404 MOU process and project Public Works Plan (PWP), and an overview of the Regional Transportation Plan (RTP). Discussion of the project Mitigation Plan. Caltrans requested concurrence on details of Encinitas Boulevard interchange improvements
03/30/2011	Discussion regarding scope of Supplemental Draft EIR/EIS (SDEIR/EIS) and the locally preferred alternative (LPA)
04/27/2011	Caltrans provided an update on the NEPA/404 MOU process and PWP, as well as an overview of the RTP. Discussion of the Mitigation Plan. Caltrans requested concurrence on details of the Encinitas Boulevard interchange improvements
06/01/2011	Concurrence reached on I-5/Encinitas Boulevard interchange improvements; update on NEPA/404 MOU process. Review of I-5 bridges, mitigation summary table information for 10+4 w/barrier and 8+4 w/buffer design alternatives, and a sample format for lagoon bridge summary analysis (using Agua Hedionda Lagoon Bridge). Discussion of the outline for the SDEIR/EIS
07/06/2011	Discussion of the LPA, project direct access ramps (DARs), and construction phasing
08/11/2011	Caltrans provided updates on optimization studies for the six lagoons, as well as the SDEIR/EIS and LPA refinement
09/15/2011	Agua Hedionda Lagoon discussion with focus on lagoon bridge summary matrix with justification for bridge lengths, and request for concurrence. Discussion of trails and opportunities at Agua Hedionda. Caltrans provided updates on lagoon bridge optimization studies and on the SDEIR/EIS
11/09/2011	Review of other ongoing projects. Updates provided for I-5 / Genesee, I-5 / SR-56, and I-5 / Encinitas interchanges, the SDEIR/EIS, and bridge length optimization studies at the lagoons. Review of a mitigation site assessment template using the Hallmark property. Concurrence/approval received on the Agua Hedionda lagoon bridge matrix and justification paper. Presentation of Los Peñasquitos and San Dieguito bridge justification papers and matrices
12/15/2011	Review of mitigation site assessment template for Hallmark and La Costa properties, as well as bridge justification papers and matrices for San Dieguito, Los Peñasquitos, and Agua Hedionda Lagoons
01/19/2012	Review of SDEIR/EIS Chapter 1
02/16/2012	Review of SDEIR/EIS outline and revised project analysis key (summarizing agency comments and documents which address the response). Discussion of agency comments on SDEIR/EIS Chapter 1. Presentation of I-5 North Coast Bikeway concept and discussion of Carmel Creek field trip
02/29/2012	Caltrans and USEPA coordination regarding topics to be covered in the SDEIR/EIS
04/12/2012	Agencies provided comments on the SDEIR/EIS and team discussion of document content continued
July 2013	Caltrans and USACE coordination regarding LEDPA and USACE permit
05/24/2012	Review of project mitigation package and mitigation parcel evaluations

Table 5.1 (cont.): NEPA/404 Consultation and Coordination

Date	Topic(s)
06/21/2012	Continued discussion of Resource Enhancement Program (REP)**/project mitigation package, introduction of Draft Design Guidelines
07/19/2012	Continued discussion of REP**/project mitigation package
09/20/2012	Discussion of REP** elements, timing and funding, and identification of preliminary LEDPA
09/27/2012	RWCQB, USACE, SANDAG, and Caltrans discussion regarding USACE permitting process and mitigation. Consensus reached on use of a programmatic individual permit and banking agreement.
10/09/2012	Agency review of comments on SED
10/18/2012	REP** mitigation detail and discussion of Draft Design Guidelines
12/06/2012	Ongoing PWP/TREP development to support CCC permitting process, REP** discussion of temporary impacts, performance standards, and endowments
01/24/2013	Review of REP** comments, initiation of LEDPA and REP** concurrence discussions.
02/28/2013	Continued discussion of REP** comments
03/28/2013	Continued discussion of REP** comments
04/18/2013	Continued discussion of REP** comments and Draft Final EIR/EIS
04/29/2013	Caltrans requested concurrence on the Preliminary LEDPA and the REMP
June 2013	Final review and coordination on the REMP
May-July 2013	Concurrence received on Preliminary LEDPA and REMP: NOAA/NMFS 05/28/2013; USEPA 06/10/2013; USFWS 06/18/2013; USACE 07/15/2013;

* Unless otherwise specified, each meeting was attended by staff from each of the following agencies: USACE, CCC, CDFW, USEPA, NOAA/NMFS, RWQCB, SANDAG, and USFWS.

** The REP is now referred to as the Resource Enhancement and Mitigation Program (REMP)

5.5 Additional Consultation and Coordination with Public Agencies

As indicated in *Sections 5.1 through 5.4*, considerable coordination has occurred with both public resource and regulatory agencies throughout the environmental review process beginning in 2001. FHWA and Caltrans have worked closely with representatives of various federal, State, regional, and local agencies. The agencies were formally or informally contacted and consulted during the preparation of the environmental analysis.

Since 2007, SANDAG and Caltrans, in coordination with CCC staff, have met bi-monthly to advance the PWP/TREP. The PWP/TREP meetings were designed to continue the process that would maintain and improve transportation facilities within the I-5 North Coast Corridor and address coastal resource impacts on a project-by-project basis. The PWP/TREP provides a planning, analytical, and implementation mechanism to address improvements throughout the corridor as a system consistent with the policies of the Coastal Act. A CCC staff member was assigned full-time for this project and has attended the bi-monthly PWP/TREP meetings.

Stakeholder Outreach and Coordination

Initial opportunities and constraints meetings with city staff are discussed above under the heading “Additional Project Outreach” in *Section 5.1*. In addition to meetings with city staff and elected officials, meetings have also occurred with other North Coast Corridor stakeholder groups, including but not limited to lagoon foundations, community planning groups, chambers of commerce, members of the public, and local school districts. A series of stakeholder meetings were held relating to community enhancements to provide project information, address project status, and obtain specific input on issues under their purview. Following

circulation of the Draft EIR/EIS in 2010, additional input was received from stakeholders (see Appendix H of this Final EIR/EIS), and coordination regarding additional project refinement was reinitiated. These meetings are summarized in *Table 5.2*.

Table 5.2: Stakeholder Outreach and Coordination

Date	Organization	Topic(s) and/or Purpose of Meeting
12/05/2005	City of Carlsbad, Lennar Corporation, SDG&E	Cannon Road DAR
12/16/2005	Batiquitos Lagoon Foundation	Opportunities and Constraints Analysis – discuss community enhancement projects around Batiquitos Lagoon
01/26/2006	San Dieguito Park Joint Powers Authority	Conceptual community enhancement projects proposed for City of San Diego
01/27/2006	City of San Diego – Parks and Rec Department, Torrey Pines State Reserve	Conceptual community enhancement projects proposed for City of San Diego
02/03/2006	City of San Diego Trails Manager	Discuss potential trail connections
02/14/2006	Agua Hedionda Lagoon Foundation, Carlsbad Watershed Alliance	Opportunities and Constraints Analysis – discuss community enhancement projects around Agua Hedionda Lagoon and Batiquitos Lagoon
02/14/2006	Carmel Valley Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
02/21/2006	Torrey Hills Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
03/09/2006	Torrey Pines Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
03/21/2006	City of Carlsbad Council Members	Conceptual community enhancement projects proposed for City of Carlsbad
03/29/2006	Agua Hedionda Lagoon Foundation	Opportunities and Constraints Analysis – discuss community enhancement projects around Agua Hedionda Lagoon
06/07/2006	City of Oceanside, Oceanside High School, Oceanside Superintendent of Schools	Opportunities and Constraints Analysis – discuss community enhancements at Mission Avenue near Oceanside High School
04/22/2011	Quarterly Stakeholders Group	Meeting with NCC stakeholders
05/06/2011	Equinox Center Symposium	I-5 debate between Senator Kehoe and Laurie Berman of Caltrans
06/24/2011	Quarterly Stakeholders Group	Meeting with NCC stakeholders
09/13/2011	San Diego Regional Chamber of Commerce	Presentation to the Public Policy Committee
10/17/2011	City of San Diego, District 1	Team briefed councilmember on I-5 / Genesee interchange project, as well as NCC program
10/25/2011	Carlsbad Chamber of Commerce	Presentation to Land Use and Transportation Committee
11/01/2011	California Coastal Commission	Briefing with executive director
11/01/2011	California Coastal Commission	Presentation to Road's Edge Subcommittee

Table 5.2 (cont.): Stakeholder Outreach and Coordination

Date	Organization	Topic(s) and/or Purpose of Meeting
11/07/2011	Caltrans	Briefing with director on upcoming coastal permit process and role of outreach
11/17/2011	Leadership North County	Presentation to Land Use and Transportation Committee
12/01/2011	Oceanside Chamber of Commerce	Presentation to the Public Policy Committee
01/05/2012	San Diego North Economic Development Council	Meeting with Public Policy Committee
01/10/2012	Batiquitos Lagoon Foundation	Meeting with Foundation president to discuss NCC status and next steps
01/10/2012	San Dieguito River Park	Meeting with deputy director to discuss NCC status and next steps
01/12/2012	Golden Triangle Transportation Forum	Presentation made to forum participants about ongoing and proposed transportation projects in the area
01/13/2012	San Elijo Lagoon Conservancy	Briefing with Conservancy executive director about NCC status/next steps
01/19/2012	California State Assembly, District 74	Briefing with assembly member about NCC program
01/25/2012	California Senate, 39th District	Briefing with policy director of Senator Kehoe's office
01/30/2012	Prevent Los Angeles Gridlock Usurping the Environment (PLAGUE)	Briefing on NCC status/next steps
02/01/2012	California State Assembly, District 74	Materials requested during 1/19/2012 meeting with District 74 assembly member were provided
02/02/2012	Los Peñasquitos Lagoon Foundation	Meeting with California State Parks (lagoon stakeholder) and Foundation representative
02/03/2012	San Dieguito River Park	Briefing with executive director and the Citizens Advisory Committee on NCC status/next steps
02/07/2012	Agua Hedionda Lagoon Foundation	Presentation to executive director and the Board of Directors on NCC status/next steps
02/14/2012	City of San Diego, staff	Meeting regarding local coastal plan (LCP) process
02/15/2012	City of Oceanside, staff	Meeting regarding LCP process
02/15/2012	City of Del Mar, planning staff	Meeting with City planning manager regarding LCP process
02/17/2012	San Dieguito River Park	Briefing to Joint Powers Authority Board about NCC status/next steps
03/07/2012	California Coastal Commission	Presentation to the CCC about NCC status/next steps
04/04/2012	Buena Vista Lagoon Foundation	Briefing with Foundation executive director and president about NCC status/next steps
10/23/2012	Del Mar Hills Academy	Briefing with Superintendent, Assistant Superintendent, and school Principal on NCC status/next steps
11/15/2012	North County Bicycle Committees	Discussion of I-5 NC Bike Trail
03/28/2013	San Dieguito River Park	Discussion with Joint Powers Authority regarding connection to the NC Bike Trail connection
04/03/2013	CDFW, County of San Diego and San Elijo Lagoon Conservancy	Section 4(f) concurrence discussion
08/01/2013	County of San Diego	Section 4(f) concurrence discussion on San Elijo

Concurrence with Proposed Section 4(f) De Minimis Use

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) amends existing Section 4(f) legislation to allow the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, State, or local significance; wildlife or waterfowl refuges; or lands from an historic site of national, State, or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (included in the public comment period for the *I-5 NCC Project* Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must: a) with regard to historic properties, concur, in writing, with FHWA’s proposed finding of ‘no adverse effect’ or ‘no historic properties affected’ in accordance with 36 CFR part 800; or b) in the case of parks, recreation areas, and wildlife and waterfowl refuges, concur in writing that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]). To comply with Section 6009(a), FHWA and Caltrans are coordinating with the SHPO, who has jurisdiction over the two historic Built Environment 4(f) resources, and informed them that the proposed project’s use of the 4(f) resource is being considered for a *de minimis* finding. Two of these historic properties would not be adversely affected. The Section 4(f) resources are summarized in *Section 3.1.3* and *Section 3.8*, and detailed in Appendix A.

The PDT was assembled by Caltrans and FHWA in 2000 to serve as the technical advisory committee and internal decision-making body for the project. This monthly PDT consists of Caltrans staff, Caltrans staff on behalf of FHWA, and representatives from other public agencies including USFWS, USACE, NOAA/NMFS, CDFW, RWQCB, CCC, SHPO, NAHC, Camp Pendleton, and the Cities of San Diego, Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside. FHWA and Caltrans have undertaken extensive efforts to integrate the proposed project with the adjacent/adjoining cities. There were several community meetings held within the project area, as well as formal and informal consultations with the cities and jurisdictions. Coordination occurred within these meetings throughout the development of the project that informed officials with jurisdiction over a specific resource that potential use of the resource is proposed. The proposed *de minimis* determinations were prepared in consultation with the agencies having jurisdiction over the resources and centered on a) significance of the property, b) primary purpose of the land, c) proposed use and impacts, and d) proposed measures to avoid and/or minimize harm. Efforts between FHWA, Caltrans, and these cities to work cooperatively and to avoid conflicts with State transportation facilities are ongoing. Written concurrence has been received from various officials that the project is either exempt from Section 4(f) or would not adversely affect properties proposed for a *de minimis* impact finding, as summarized below.

- For the San Dieguito River Park, Caltrans received an email on May 22, 2013 noting that the SDRP administrator (the JPA) concurs that the “impact” associated with connecting the trails would be beneficial in nature and is therefore exempt from Section 4(f) per 23 CFR 744.13(g) (*Figure 5-5.1*).
- For the San Elijo Lagoon Ecological Reserve, concurrence in a Section 4(f) *de minimis* finding was received from the CDFW on August 30, 2013, from the County of San Diego on September 10, 2013, and from the San Elijo Lagoon Conservancy on August 12, 2013 (*Figures 5-5.2 through 5-5.4*).

- For Agua Hedionda Lagoon, concurrence in a Section 4(f) *de minimis* finding was received from the City of Carlsbad on May 06, 2013 (*Figure 5-5.5*).

Other communication regarding park and recreational properties includes the following:

- For Oak Park, an email received from the City of Carlsbad on February 21, 2013 concurs that this facility is considered a Special Use Area, without significant recreational use.
- For Pio Pico Park, an email received from the City of Carlsbad on February 21, 2013 concurs that this facility is considered a Special Use Area, without significant recreational use.
- For Cottonwood Creek Park, an email received from the City of Encinitas on March 8, 2013 concurs that the impacts are temporary occupancy of the land and exempt as defined by 23 CFR 774.13(d).
- For Paul Ecke Park, an email received from the City of Encinitas on September 16, 2013 concurs that the impacts would be temporary occupancy of the land and exempt as defined by 23 CFR 774.13(d).

State Historic Preservation Officer Coordination (SHPO)

As required by federal and State law, an agency must take into account how its undertaking may affect historic properties/historical resources listed in or eligible for listing in the NRHP and the CRHR. The SHPO is the primary consulting agency that FHWA and Caltrans must coordinate with for concurrence determinations on eligibility and project effects to eligible resources. The HPSR is submitted to the SHPO to: (1) document the Native American consultation efforts; (2) identify cultural resources within a project's APE; (3) seek its concurrence with NRHP and CRHR eligibility determinations; (4) identify project effects to eligible resources; and (5) propose methods to resolve adverse effects to eligible resources. SHPO consultation and coordination is summarized in *Table 5.3*.

Table 5.3: SHPO Consultation and Coordination

Date	Topic(s)
03/16/2007	Caltrans submits HPSR and technical studies to SHPO for review and concurrence with eligibility determinations
04/29/2007	SHPO requests 30-day extension to complete HPSR review
07/02/2007	No SHPO response; Caltrans notifies SHPO it is moving forward in the Section 106 process
12/04/2007	Caltrans submits FOE document to FHWA for review
12/27/2007	FHWA concurs in FOE findings and forwards document to SHPO for its review
03/17/2008	SHPO comments on FOE findings (see <i>Figure 5-5.6</i>)
04/14/2010	Caltrans submits Notification of No Adverse Effects with Standard Conditions-(ESAs) to SHPO
05/12/2010	SHPO agrees that No Adverse Effects with Standard Conditions (i.e., ESAs) would suitably protect archaeological sites for biological mitigation activities (see <i>Figure 5-5.7</i>)
07/01/2013	Caltrans notifies FHWA of APE revisions and requests FHWA to consult with SHPO (see <i>Figure 5-5.8</i>)
07/12/2013	FHWA notifies SHPO of APE revisions and requests SHPO concurrence with Finding of No Adverse Effect (see <i>Figure 5-5.9</i>)
09/11/2013	SHPO concurs with Finding of No Adverse Effect without standard conditions (see <i>Figure 5-5.10</i>)

U.S. Fish and Wildlife Service

Early coordination with the USFWS took place in order to determine sensitive species within the project area. The USFWS provided this information regarding listed endangered, threatened, and proposed species within the area in letters dated January 26, 2005 and November 13, 2007 (see *Figure 5-5.11*), and confirmed continued accuracy of the listing during September 23, 2013 coordination with Sally Brown of the USFWS. The USFWS also provided a Biological Opinion for the *I-5 NCC Project*, dated December 31, 2012, which reviews the project's effects on federally listed species and critical habitat in accordance with Section 7 of the Endangered Species Act of 1973, and also summarizes the extensive coordination between Caltrans and the USFWS (see Appendix O).

Native American Heritage Commission and Native American Coordination

Consultation with NAHC, and appropriate tribes, and Native American individuals has been ongoing since the earliest days of the project dating back to 2002, when the first archaeological survey for the project was undertaken (*Table 5.4*). Consultation would continue until all project-related activities have been completed.

Table 5.4: NAHC and Native American Consultation and Coordination

Date	Topic(s)
2002 through 2006	Native American tribes contacted to provide monitors for archaeological test excavations; monitors present during all subsurface excavation efforts
11/02/2004	NAHC reply; sacred lands search is negative; a list of contacts is provided
08/05/2005	Manzanita Band of the Kumeyaay Nation contacts Caltrans; requests monitors be present during any subsurface investigations
11/14/2005	Caltrans requests an updated list of appropriate Native American groups/individuals in the project region
11/20/2005	Kwaaymii/Laguna band monitors Carmen Lucas sends CA-SDI-16639 letter and photographs from monitoring effort
12/04/2005	Kumeyaay Monitor Clint Linton sent letter documenting monitoring effort for site CA-SDI-4553
12/18/2005	Kwaaymii/Laguna band monitors Carmen Lucas sends CA-SDI-12121 letter and photographs from monitoring effort
01/13/2006	Letters sent to tribes/individuals identified by NAHC seeking their input on information regarding cultural issues within the project's footprint
01/20/2006	Pala Band of Mission Indians replies; informs Caltrans project is outside their traditional territory
01/26/2006	Native American Cultural Resource Consultation replies; requests Native American monitors be present during construction
03/12/2006	Soboba Band of Mission Indians replies; suggests consultation with other Luiseño tribes closer to the project area
07/27/2006	Caltrans meets with Mel Vernon a Luiseño Educator and Ruth Calac a Luiseño, to discuss project, avoidance procedures, and the interpretive display at the scenic overlook
09/22/2006	Kwaaymii/Laguna Band of Indians sends Caltrans Native American monitor report for CA-SDI-17928
12/14/2006	Caltrans letter to KCRC; request a meeting to arrange for repatriation of one human bone from archaeological site CA-SDI-17928
01/12/2007	Human bone repatriated to KCRC
03/14/2007	Caltrans met with Kwaaymii and KCRC; field visit to CA-SDI-17928

Table 5.4 (cont.): NAHC and Native American Consultation and Coordination

Date	Topic(s)
05/23/2007	Kwaaymii representative approves soundwall for portion of CA-SDI-12670 to be adversely affected
05/24/2007	Caltrans contacts NAHC for MLD for CA-SDI-12670 if soundwall is constructed there
06/25/2008	Letter from Advisory Council on Historic Preservation (ACHP) in response to undertaking notification declining to participate in Section 106 process (see <i>Figure 5-5.12</i>)
08/07/2008	Caltrans meets KCRC to present Archaeological Treatment Plans for CA-SDI-12670 and CA-SDI-17928
01/17/2013	<p>Caltrans contacts Carmen Lucas (Kwaaymii/Laguna) regarding notification that Caltrans changed the CA-SDI-7296 effect finding from No Adverse Effect with Standard Conditions (ESA) to No Historic Properties Affected since the original justification was based on an error of fact. Archaeological and Native American monitors would be present during planting activities at this biological mitigation parcel.</p> <p>Caltrans also informs her that Caltrans would not build two proposed soundwalls. With these changes, site CA-SDI-12670 would be avoided and site CA-SDI-17928 would be excluded from this undertaking, resulting in the project's Finding of Effect revision to No Adverse Effects-Standard Conditions (ESA). Because adverse effects to these resources would be avoided, an MOA would not be required for this undertaking because all impacts to National Register eligible sites would be avoided. Furthermore, the 2007 FOE is no longer applicable to this project.</p>
01/17/2013, 01/24/2013, 03/06/2013, 03/19/2013	Caltrans left messages for Clint Linton (Kumeyaay), to inform him regarding an update on CA-SDI-7296 effect finding (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013	Caltrans contacts Mel Vernon (Luiseño), updating him of changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
03/21/2013	Caltrans contacts Clint Linton (Kumeyaay) to update him on CAS-SDI-7296 effect finding (see above contact topic) and changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013, 01/24/2013	Caltrans left messages for Steve Banegas (KCRC).
03/06/2013	Steve Banegas (Kumeyaay/KCRC) referred Caltrans to contact Bernice Paipa (Kumeyaay/KCRC) in his place.
03/06/2013, 03/07/2013, 03/19/2013	Caltrans left messages for Bernice Paipa (Kumeyaay/KCRC).
01/17/2013, 01/24/2013	Caltrans left messages for Merri Lopez-Keifer (San Luis Rey Band of Mission Indians).
03/06/2013	Caltrans contacts Merri Lopez-Keifer (San Luis Rey Band of Mission Indians) to update her of changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013, 01/24/2013, 03/06/2013	Caltrans left messages for Carmen Mojado and Cami Mojado (San Luis Rey Band of Mission Indians.)
03/19/13	Caltrans contacts Cami Mojado (San Luis Rey Band of Mission Indians) to update her on changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).

[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT: SAN DIEGO COUNTY, CALIFORNIA

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in San Diego County, California.

FOR FURTHER INFORMATION CONTACT: Cesar Perez, South Region Team Leader, Federal Highway Administration, 650 Capitol Mall Suite 4-100, Sacramento, California 95814, Telephone: (916) 498-5065.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation will prepare an environmental impact statement (EIS) on a proposal to improve Interstate 5 (I-5) in San Diego County, California. The proposed improvement would involve the addition of high occupancy vehicle (HOV) lanes/Managed Lanes and general purpose lanes to existing I-5 from the City of San Diego to the City of Oceanside for a distance of approximately 28 miles.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. Also, included in this proposal are the addition of auxiliary lanes, direct access ramps (DARs), and interchange improvements where needed. Alternatives under consideration include (1) taking no action; (2) adding two HOV lanes in each direction plus one general purpose lane in each direction. Incorporated into and studied with the build alternative will be design variations at the six lagoons along the corridor. Alternatives associated with those areas will include (1) retaining walls within existing fill slopes; (2) widening on existing fill slopes; (3) removing existing fill in lagoons and bridging the lagoons; (4) elevated HOV lanes on an independent structure.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public scoping meetings will be held in each city along the north coast I-5 corridor between January and February 2003. Public notice will be provided indicating the time and place of the scoping meetings.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Figure 5-1.1: Notice of Intent

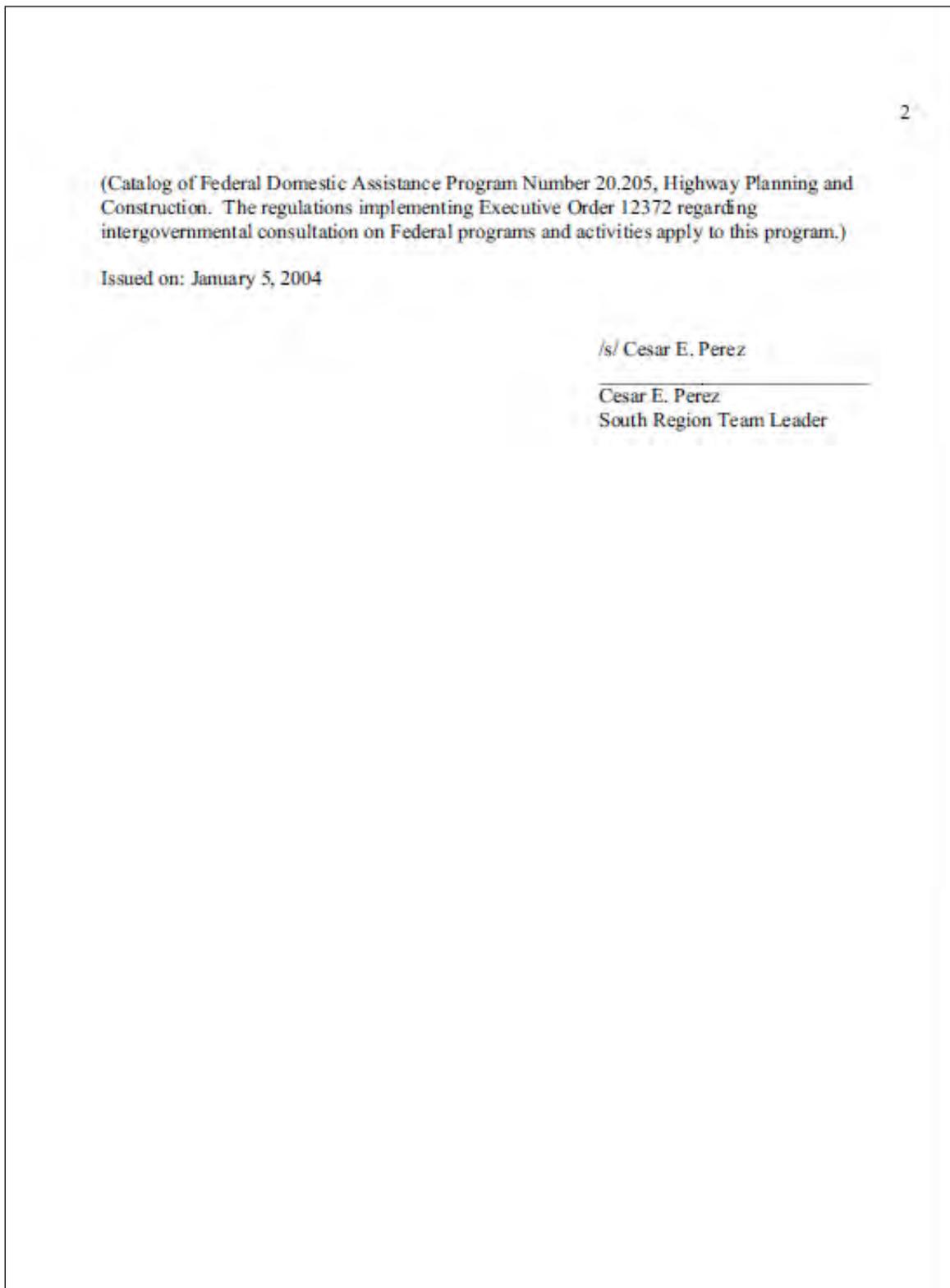


Figure 5-1.1 (cont.): Notice of Intent



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Interstate 5 North Coast Corridor Project

SCH Number: 2004101076

Document Type: NOP - Notice of Preparation

Project Lead Agency: Caltrans #11

Project Description
 The proposed project includes improvements to the highway facility by adding high occupancy vehicle (HOV) and possibly general purpose lanes, auxiliary lanes and direct access ramps to HOV lanes from San Diego to Oceanside in San Diego County.

Contact Information
Primary Contact:
 Jason Reynolds
 Department of Transportation, District 11
 858-618-8609
 P.O. Box 85408, MS 46
 San Diego, CA 92186-5408

Project Location
 County: San Diego
 City: San Diego, Oceanside, Carlsbad, La Jolla
 Region:
 Cross Streets: I-5 with State Routes 57, 805, 78, 52 and local streets in six cities
 Latitude/Longitude:
 Parcel No: various
 Township: var
 Range: var
 Section: var
 Base: var
 Other Location Info:

Proximity To
 Highways: 5, 805, 78, 76
 Airports: none
 Railways: San Diego North Rail
 Waterways: 7 from Los Peñasquitos Lagoon to San Luis Rey River
 Schools: 32 schools
 Land Use: Highway Facility

Development Type
 Transportation: Highway/Freeway (Interstate Improvements)

Local Action

Project Issues
 Aesthetic/Visual, Agricultural Land, Air Quality, Archaeologic-Historic, Biological Resources, Coastal Zone, Drainage/Absorption, Economics/Jobs, Flood Plain/Flooding, Geologic/Seismic, Noise, Recreation/Parks, Soil Erosion/Compaction/Grading, Toxic/Hazardous, Traffic/Circulation, Population/Housing Balance, Public Services, Schools/Universities, Solid Waste, Other Issues (Paleontological Res), Vegetation, Water Quality, Wetland/Riparian, Wildlife, Growth Inducing, Landuse, Cumulative Effects

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)
 Resources Agency; **California Coastal Commission**; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; **Department of Fish and Wildlife, Region 5**; **Native American Heritage Commission**; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9

Date Received: 10/20/2004 **Start of Review:** 10/20/2004 **End of Review:** 12/14/2004

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Figure 5-1.2a: Notice of Preparation to State Clearinghouse



SCH NO. _____

FILED
Gregory J. Smith, Recorder/County Clerk

OCT 20 2004

BY KV DEPUTY

NOTICE OF PREPARATION

To: County Clerk
County Administration Center
1600 Pacific Highway, Room 260

San Diego CA 92101

From: California Dept. of Transportation
District 11

2829 Juan Street
San Diego, CA 92110

Subject: Notice of Preparation of a Draft Environmental Impact Report
Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Project Title: North Coast Interstate 5 Corridor Project

Project Location: On Interstate 5 from La Jolla Village Drive in San Diego north along I-5 to Vandegrift Boulevard in Oceanside, California and on Interstate 805 from just north of Mira Mesa Blvd to the Interstate 5/Interstate 805 merge.

Project Description: Caltrans proposes to add high occupancy vehicle (HOV) lanes in each direction along the corridor. One general purpose lane in each direction may also be added from Del Mar Heights Road to State Route 78. The project would also include interchange improvements and auxiliary lanes where needed and approximately five direct access ramps (DARs) to allow transit vehicles and carpoolers a transition point into the designated HOV lanes.

This is to inform you that the California Department of Transportation in cooperation with the Federal Highway Administration will be the lead agency and will prepare an environmental impact report/statement (EIR/EIS) for the project described within this notice. Your participation as a responsible agency is requested in the preparation and review of this document.

We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval actions for the project.

A more detailed project description, location map, and the potential environmental effects are contained in the attached materials.

A copy of the Initial Study (is) (is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please direct your response to Jason A. Reynolds, Chief-Environmental Analysis Branch A, MS 46 Telephone (858) 616-6609 at the address shown above. Please supply us with the name for a contact person in your agency.

Date 10/15/04 Signature Jason A. Reynolds
Title Branch Chief

Figure 5-1.2b: Notice of Preparation to San Diego County Clerk



Commander
Eleventh District

U. S. Coast Guard Island, Bldg 50-2
Alameda, CA 94501-5100
Staff Symbol: (dpw)
Phone: (510) 437-3514
Fax: (510) 437-5836

16590

Los Penasquitos Lagoon/River
San Dieguito Lagoon
San Elijo Lagoon
Batiqitos Lagoon
Agua Hedionda Lagoon
Buena Vista Lagoon
San Luis Rey River
Carmel Valley Creek
Loma Alta Creek

December 13, 2012

California Dept. of Transportation
Attn: Ms. Shay Lynn M. Harrison
4050 Taylor Street, M. S. 242
San Diego, CA 92100

Dear Ms. Harrison:

As discussed with Ms. Sandra Lavender at Caltrans, we have completed our review of information provided concerning the ongoing Interstate 5 North Coast Corridor Project in San Diego County, California.

The I-5 bridge crossings on the following waterways are located on reaches of the waterways that are considered navigable. However, the waterways are not navigated by anything larger than small motorboats and the waterways meet the criteria for Advance Approval of bridges pursuant to Title 33, Code of Federal Regulations, Part 115.70.

- a. San Diego River.
- b. Los Penasquitos Lagoon and River.
- c. San Dieguito Lagoon.
- d. San Elijo Lagoon.
- e. Batiqitos Lagoon.
- f. Agua Hedionda Lagoon.

The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to the start of construction (33 U.S.C. 525). The Commandant has given advance approval to the location and plans of bridges to be constructed across reaches of waterways considered navigable, but not actually navigated by other than logs, log rafts, rowboats, canoes and small motorboats. In such cases, the clearances provided for high water stages will be considered adequate to meet the reasonable needs of navigation (33 C.F.R. 115.70).

No individual Coast Guard bridge permit will be required for this part of the project (COMDTINST M16590.5C). This does not relieve the applicant from complying with all applicable federal, state and local laws, and associated permit requirements.

Figure 5-3.1: U.S. Coast Guard Letter Regarding Bridges

16590
December 13 , 2012

If the character of navigation changes, such that one of the waterways no longer meets advance approval criteria, the Coast Guard will promptly withdraw the advance approval designation for the waterway, and notify all interested parties.

A photograph and as-built drawings (8½x11-inch) of the bridges are required upon completion of the project. The drawings should indicate the elevation of the lowest hittable part of the bridges above mean high water, or mean sea level, over the channel.

Our review and determination remains valid for a period of two years from the date of this letter and becomes null and void if the project has not begun within that time frame.

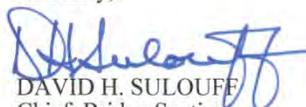
Please notify our office upon beginning and completing the bridge-related, over-water portions of the project, with 30 days advance notice, so we may provide Notice to Mariners.

The I-5 bridge crossings of the following waterways are located on reaches of the waterways considered to be non-navigable. Under the provisions of the Coast Guard Authorization Act of 1982, the Coast Guard has determined that these projects do not require Coast Guard involvement for bridge permit purposes:

- a. Buena Vista Lagoon
- b. San Luis Rey River
- c. Carmel Valley Creek
- d. Loma Alta Creek

You may contact Mr. Chris Cerles, Project Manager, by telephone at (510) 437-3461, to discuss this project.

Sincerely,



DAVID H. SULOUFF
Chief, Bridge Section
Eleventh Coast Guard District
By direction of the District Commander

Copy: U. S. Army Corps of Engineers, Los Angeles District
Coast Guard Sector San Diego

Figure 5-3.1 (cont.): U.S. Coast Guard Letter Regarding Bridges

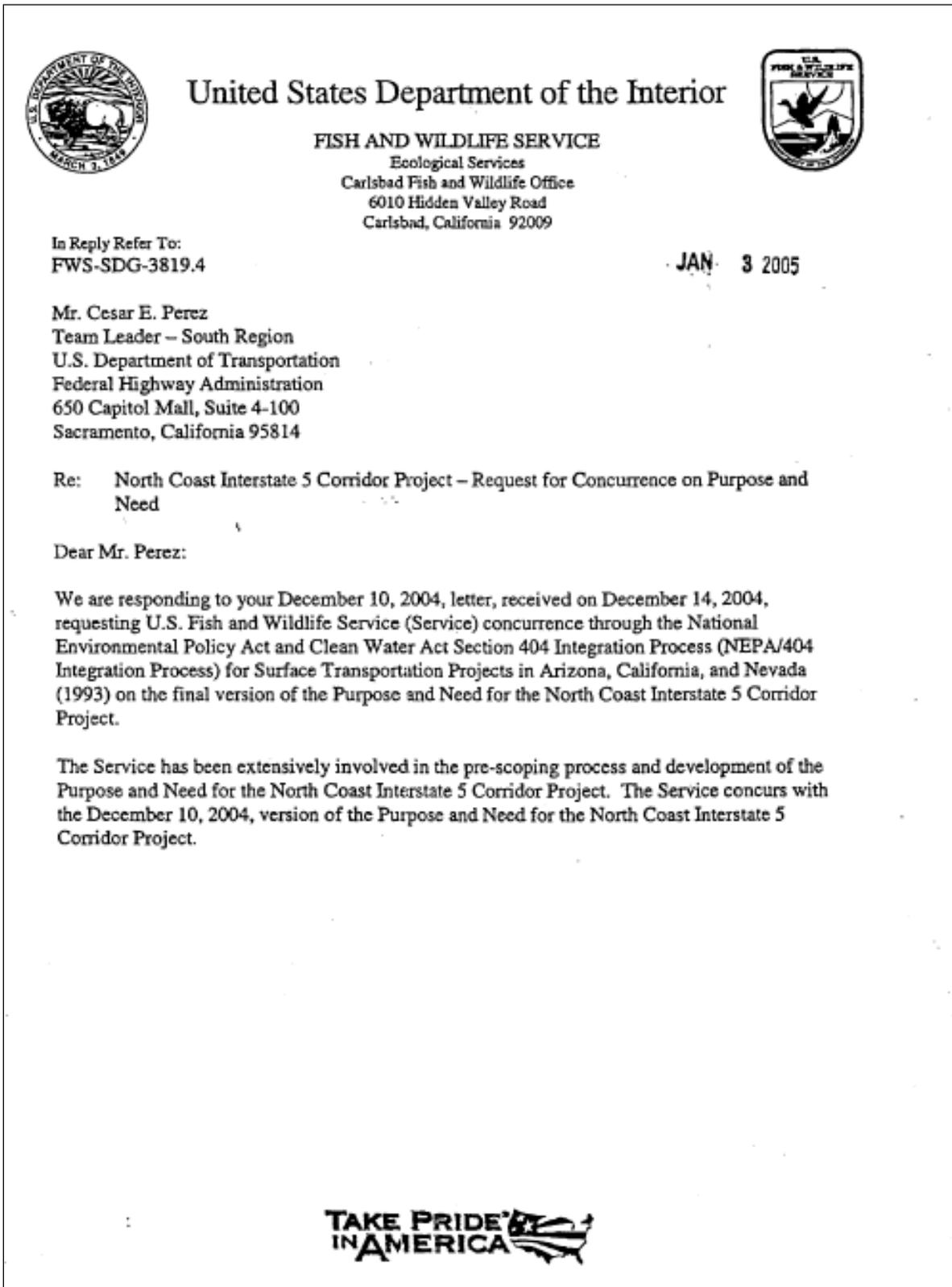


Figure 5-4.1: USFWS Concurrence with Purpose and Need

Mr. Cesar E Perez (FWS-SDG-3819.4)

If you have any questions or concerns about this letter, please contact John DiGregoria of my staff at (760) 431-9440.

Sincerely,



Therese O'Rourke
Assistant Field Supervisor

cc: Charles "Muggs" Stoll, Deputy District Director Environmental Division, Caltrans District 11 Office

Figure 5-4.1 (cont.): USFWS Concurrence with Purpose and Need

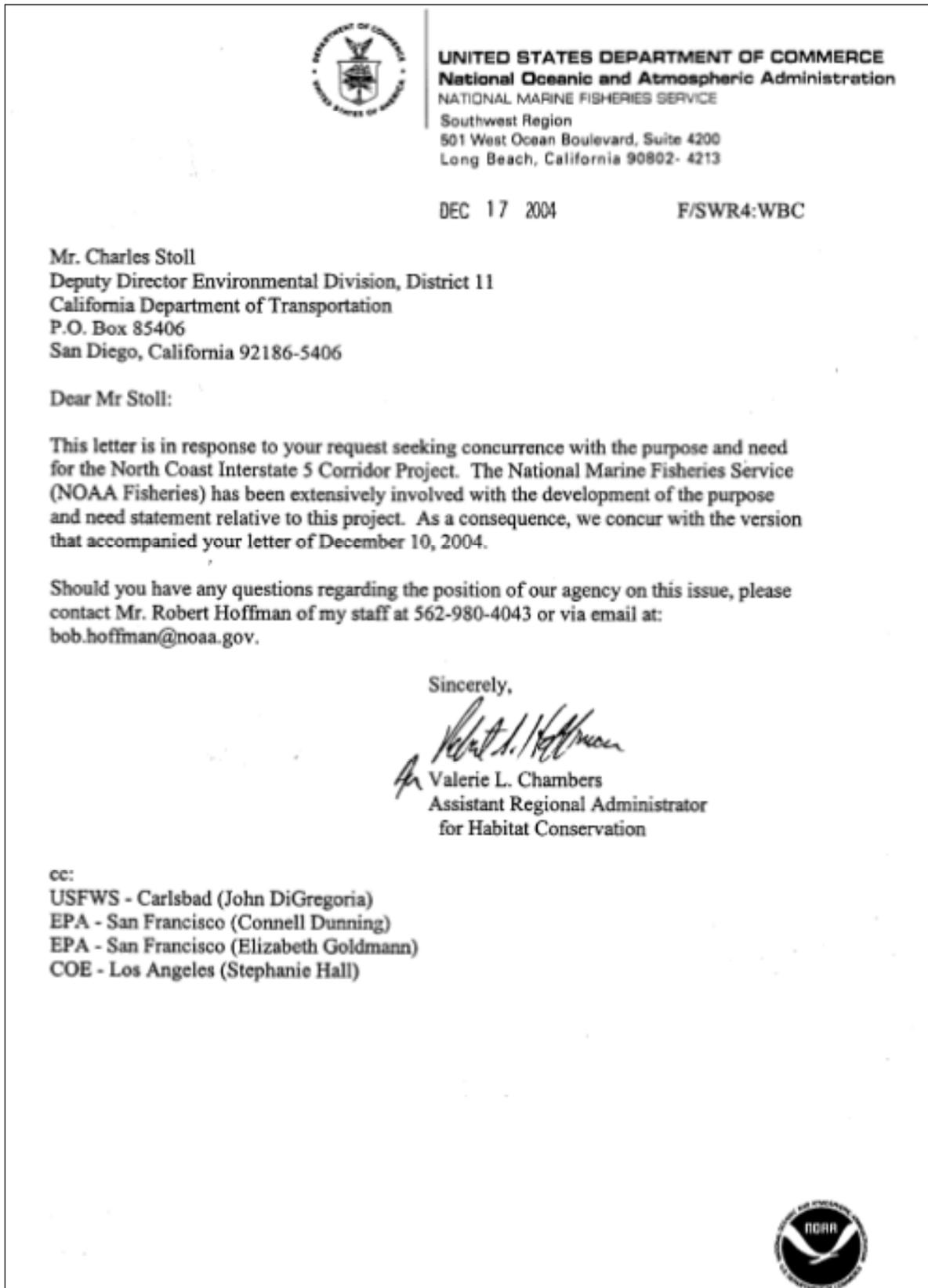


Figure 5-4.2: NOAA/NMFS Concurrence with Purpose and Need

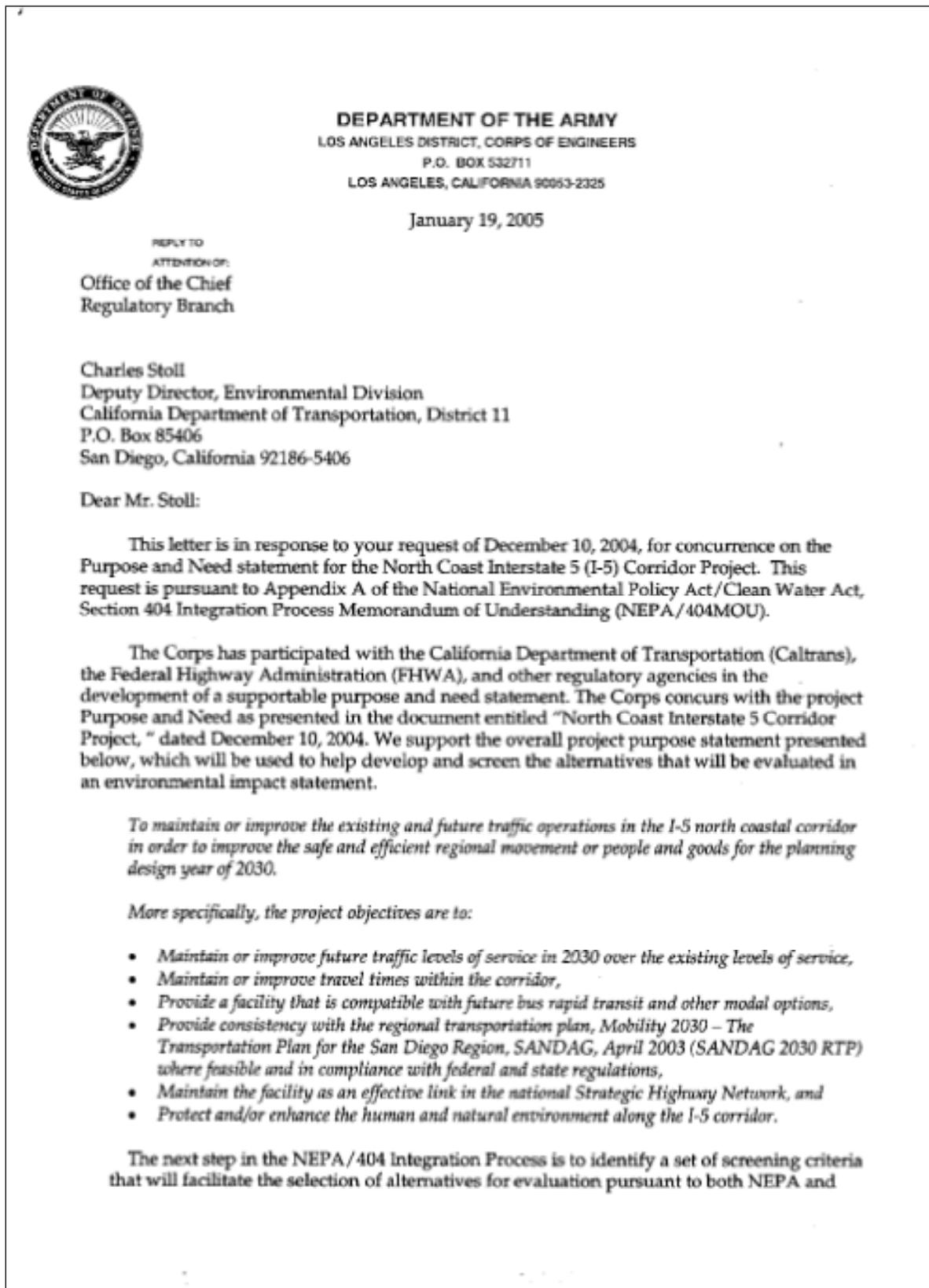


Figure 5-4.3: USACE Concurrence with Purpose and Need

-2-

Section 404. Under Appendix A of the NEPA/404 MOU, we will be asked to concur on both the screening criteria and the range of alternatives.

We appreciate the opportunity to participate in the NEPA/404 MOU process and appreciate your efforts to seek our early participation in this process. We look forward to our continued involvement with the North Coast Interstate 5 Corridor project. Should you have any questions, please contact Ms. Stephanie J. Hall of my staff at (213) 452-3410. Please refer to this letter and 200401089-SJH in your reply.

Sincerely,


for David J. Castanon
Acting Chief, Regulatory Branch

cc:
USFWS – Carlsbad (John DiGregoria)
EPA – San Francisco (Connell Dunning)
EPA – San Francisco (Elizabeth Goldmann)
NOAA – Long Beach (Bob Hoffman)

Figure 5-4.3 (cont.): USACE Concurrence with Purpose and Need



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION IX
 75 Hawthorne Street
 San Francisco, CA 94105-3901

January 10, 2004

Charles Stoll
 Deputy Director Environmental Division
 California Department of Transportation
 P.O. Box 85406
 San Diego, CA 92186-5406

Cesar Perez
 Team Leader - South Region
 Federal Highway Administration
 650 Capitol Mall, Suite 4-100
 Sacramento, CA 95814

Dear Mr. Stoll and Mr. Perez:

The U.S. Environmental Protection Agency (EPA) is writing in response to your request of December 10, 2004 for concurrence on the Purpose and Need statement for the proposed **North Coast Interstate 5 (I-5) Corridor Project**. The purpose of this letter is to express EPA's concurrence with the Purpose and Need statement. Your request is in accordance with the National Environmental Policy Act/Clean Water Act Section 404 Integration Process for Surface Transportation Projects in California, Arizona, and Nevada Memorandum of Understanding (NEPA/404 MOU).

Concurrence on Purpose and Need

California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) propose improvements along the I-5 Corridor from Miramar Road north to Vandergriff Boulevard. Widening of the highway in the project area will affect an estimated 25 acres of wetlands and has the potential to affect wildlife and sensitive habitats associated with six lagoons: San Dieguito, San Elijo, Bataquitos, Agua Hedionda, Buena Vista, and Los Pensaquitos. EPA has been involved with the development of the Purpose and Need statement through multiple interagency meetings. We are pleased with the incorporation of our comments and recognize the efforts of Caltrans and FHWA in finalizing a Purpose and Need statement that addresses the concerns of the federal regulatory agencies.

EPA concurs with the following Purpose and Need statement:

OVERALL PURPOSE STATEMENT

To maintain or improve the existing and future traffic operations in the I-5 north coastal corridor in order to improve the safe and efficient regional movement of people and goods for the planning design year 2030.

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Figure 5-4.4: USEPA Concurrence with Purpose and Need

PROJECT OBJECTIVES

The objectives of this project are to:

- Maintain or improve future traffic levels of service in 2030 over the existing levels of service,
- Maintain or improve travel times within the corridor,
- Provide a facility that is compatible with future bus rapid transit and other modal options,
- Provide consistency with the regional transportation plan, Mobility 2030 - The Transportation Plan for the San Diego Region, SANDAG, April 2003 (SANDAG 2030 RTP) where feasible and in compliance with federal and state regulations,
- Maintain the facility as an effective link in the national Strategic Highway Network, and
- Protect and/or enhance the human and natural environment along the I-5 corridor.

Status of Other Transportation Projects along the I-5 Corridor

On September 9, 2004 a manager-level meeting was convened to discuss the Purpose and Need statement as well as the status of multiple projects along the I-5 Corridor that are in various stages of planning and construction. At that time, and in previous interagency meetings, EPA as well as Army Corps of Engineers, Fish and Wildlife Service, and National Marine Fisheries Service, expressed concerns regarding the potential for decisions resulting from other projects along the corridor to preclude the analysis of a range of reasonable alternatives to be studied through the North Coast I-5 Corridor Project. Caltrans and FHWA committed to discuss this matter internally and to provide a response to the regulatory agencies regarding this issue. As of this date, EPA has received no formal response regarding our concerns. While it does not affect our concurrence on the Purpose and Need statement, resolution on this matter is integral to an understanding of the scope of the North Coast I-5 Corridor Project as the NEPA/404 integration process continues.

Other Federal Mitigation Efforts

Several mitigation projects that were established as permitting requirements for other federal projects occur within the footprint of the proposed project, including the Bataquitos Lagoon Enhancement Project and the San Onofre Nuclear Generating Station (SONGS) Marine Mitigation Program. The Bataquitos Lagoon Enhancement Project is one of the largest wetland restoration projects undertaken as mitigation for a port project in the United States and was developed as a requirement to mitigate resources lost in the Outer Los Angeles Harbor due to dredging and construction. The SONGS Marine Mitigation Program is an environmental enhancement program developed to mitigate unavoidable impacts to the marine environment resulting from operation of the SONGS Units 2&3 cooling water systems. The program includes restoring degraded wetlands at San Dieguito Lagoon, improving the in-plant fish protection systems, and funding for Coastal Commission staff oversight and monitoring of these mitigation projects. Because these mitigation efforts are required as a result of federal permitting actions, it will be important for Caltrans and FHWA to develop alternatives that are designed to allow for

Figure 5-4.4 (cont.): USEPA Concurrence with Purpose and Need

the continued implementation of these mitigation commitments.

We are pleased that the Purpose and Need statement indicates that Caltrans and FHWA “will seek to not impede these efforts and will identify opportunities to offset potential project impacts to the maximum extent practicable” and that “enhancements to the conditions of sensitive environmental habitat will be incorporated, where feasible and practicable when considering cost, logistics, and technology.” This supports the objective of “protecting and/or enhancing the natural environment” and conveys the transportation agencies’ intentions to protect the coastal lagoon ecosystem during project development.

Thank you for this opportunity to participate in the development of the North Coast I-5 Corridor Study Purpose and Need statement. We look forward to continued participation in this project through the NEPA/404 MOU. If you have any questions or comments, please feel free to contact me at 415-972-3854. You can also contact Connell Dunning at 415-947-4161 (dunning.connell@epa.gov) or Elizabeth Goldmann at 415-972-3398 (goldmann.elizabeth@epa.gov).

Sincerely,



Lisa B. Hanf, Manager
Federal Activities Office

cc: John DiGregoria, Fish and Wildlife Service
Stephanie Hall, Army Corps of Engineers
Bob Hoffman, National Marine Fisheries Service

Figure 5-4.4 (cont.): USEPA Concurrence with Purpose and Need

08/24/2006 09:38 FAX 7604315902

US FISH AND WILDLIFE

002



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92011



In Reply Refer To:
FWS-SDG-3819.9

AUG 24 2006

Ms. Susanne Glasgow
Deputy District Director
Environmental Division
Department of Transportation
2829 Juan Street
P.O. Box 85406, M.S. 46
San Diego, California 92110

Subject: Concurrence on Range of Alternatives for North Coast Interstate 5 Corridor Project

Dear Ms. Glasgow:

The U.S. Fish and Wildlife Service (Service) has received your letter dated August 1, 2006, requesting our concurrence on the range of alternatives for the North Coast Interstate 5 Corridor Project to be considered in the draft Environmental Impact Statement. Those alternatives include the 10+4 with Buffer, 10+4 with Barrier, 8+4 with Buffer, 8+4 with Barrier, and the No Build Alternative. You have also requested our concurrence on the removal of the 8+2HOV alternative from further review.

Information provided during previous meetings has given details on the reason for dropping the 8+2HOV alternative. The Service concurs with removing the 8+2HOV alternative from further consideration due to the projects futility in meeting future traffic needs. Also, the Service concurs on the list of alternatives for further consideration and acknowledges that a number of projects would continue to go forth in the No Build Alternative scenario.

If you have any questions with regards to this letter please contact Kurt Roblek of my staff (760-431-9440, ext. 308).

Sincerely,

Therese O'Rourke
Assistant Field Supervisor

Cc: Robert Hoffman, NOAA
Connell Dunning, EPA
Elizabeth Goldman, EPA
Stephanie Hall, Corps



Figure 5-4.5: USFWS Concurrence with Range of Alternatives

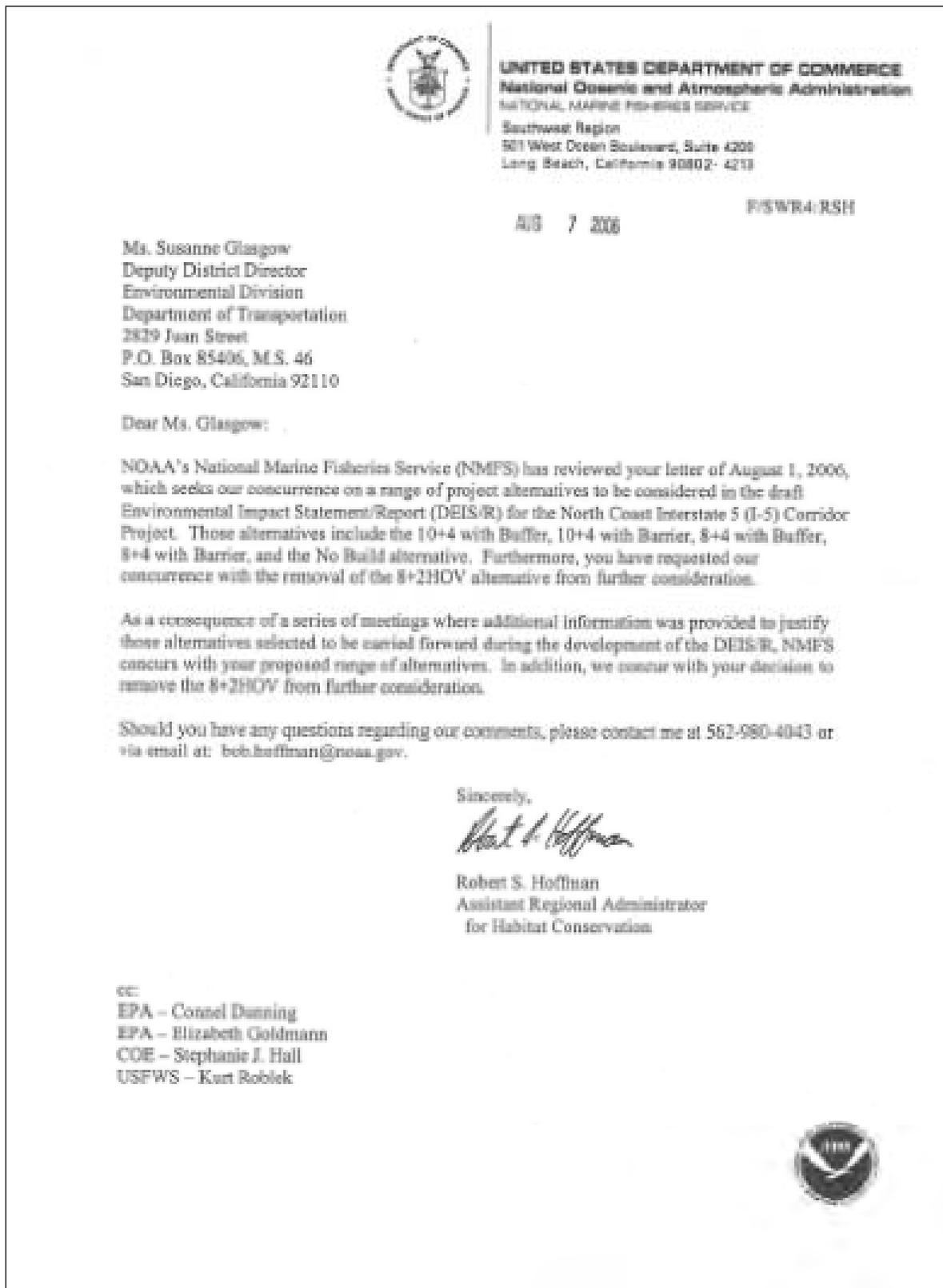


Figure 5-4.6: NOAA/NMFS Concurrence with Range of Alternatives



DEPARTMENT OF THE ARMY
 LOS ANGELES DISTRICT, CORPS OF ENGINEERS
 P.O. BOX 532711
 LOS ANGELES, CALIFORNIA 90053-2325

August 21, 2006

REPLY TO
 ATTENTION OF:

Office of the Chief
 Regulatory Branch

California Department of Transportation, District 11
 Attention: Susanne Glasgow, Deputy District Director
 Environmental Division, MS-242
 4050 Taylor Street
 San Diego, CA 92110

Dear Ms. Glasgow:

At the request of the California Department of Transportation (Caltrans), the U.S. Army Corps of Engineers (USACE) has been asked to provide concurrence on a "Range of Project Alternatives" for the North Coast I-5 Corridor Project, located in northern coastal San Diego County, California. This request letter and supplemental information package was initially submitted and dated July 5, 2006 and subsequently revised and resubmitted on August 1, 2006.

We appreciate the opportunity for continued involvement on this project, and pursuant to the National Environmental Policy Act, Clean Water Act Section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU), we are providing concurrence on the "Range of Alternatives" per your revised August 1, 2006 request. Your submittal provides the range of alternatives to be carried forward for detailed analysis in the Draft Environmental Impact Statement/Report (EIS/EIR). Your submittal also provides clarification of the "No Build Alternative", as well as projects that would be independent from the I-5 Corridor Project.

The "Range of Alternatives" to be carried forward in the Draft EIS/EIR includes the following: the 10+4 with Buffer Alternative, the 10+4 with Barrier Alternative, the 8+4 with Buffer Alternative, and the 8+4 with Barrier Alternative. The "No Build Alternatives" include the I-5/I-805 Widening, I-5/Genesee Avenue Interchange, I-5 Mid-Coast Free Improvements, I-805 North Improvements, SR-56 Improvements, SR-78 Improvements and the LOSSAN Rail Improvements. Projects that would be incorporated into the analysis of the I-5 Corridor Project or be separate projects to be initiated after a decision is rendered on the I-5 Corridor Project include the Sorrento Valley Road/Roselle Street, Manchester Interchange, Birmingham to Leucadia auxiliary lane, Encinitas Boulevard, and I-5/SR-78 Connector projects. The I-5/SR-56 Freeway Connectors, the Lomas Santa Fe Interchange, and the HOV Extension between San Dieguito River and San Elijo Lagoon Bridge are considered separate projects and would proceed independently.

Figure 5-4.7: USACE Concurrence with Range of Alternatives

-2-

The next step in the NEPA/404 Integration Process is the preparation of the project Draft EIS/EIR. The Corps values our role as a Cooperating Agency for the proposed project and the opportunity to provide meaningful input and continued regulatory guidance with regard to on-going project efforts. If you have any questions, please contact Stephanie J. Hall of my staff at (213) 452-3410. Please refer to this letter and 200401089-SJH in your reply.

Sincerely,



David J. Castanon
Chief, Regulatory Branch

cc:
EPA-San Francisco (Connell Dunning)
EPA-San Francisco (Elizabeth Goldman)
USFWS-Carlsbad (Kurt Roblek)
NOAA-Long Beach (Bob Hoffman)

Figure 5-4.7 (cont.): USACE Concurrence with Range of Alternatives



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Lisa Cathcart-Randall
 Team Leader - South Region
 Federal Highway Administration
 650 Capitol Mall, Suite 4-100
 Sacramento, CA 95814

Suzanne Glasgow
 California Department of Transportation
 District 11, MS-242
 4050 Taylor Street
 San Diego, CA 92110

Subject: Concurrence on Range of Alternatives for North Coast I-5 Corridor Project

Dear Ms. Cathcart-Randall and Ms. Glasgow:

This letter responds to your dated August 1, 2006 letter requesting concurrence on Range of Alternative to be analyzed in the Draft Environmental Impact Statement (EIS) for the North Coast I-5 Corridor Project in San Diego, CA (enclosed). The request is pursuant to the National Environmental Policy Act/Clean Water Act Section 404 Integration Process Memorandum of Understanding, 2006 (NEPA/404 MOU).

The U.S. Environmental Protection Agency (EPA) offers its concurrence on the Range of Alternatives listed below and further described in the enclosed August 1, 2006 letter. As discussed in the I-5 Corridor Project Interagency meetings, these alternatives will be analyzed in the Draft EIS to be completed for this project:

- 10+4 with Buffer Alternative
- 10+4 with Barrier Alternative
- 8+4 with Buffer Alternative
- 8+4 with Barrier Alternative

We commend the California Department of Transportation (Caltrans) and Federal Highway Administration (FHWA) for responding to our concerns regarding other projects within the I-5 Corridor (see enclosed table, *Proposed Projects Along North Coast Interstate 5 Corridor*). As noted in previous interagency meetings, EPA, as well as U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, and National Marine Fisheries Service, have expressed concerns that decisions resulting from other projects within the study area along I-5 may preclude the consideration of a range of reasonable alternatives for the North Coast I-5 Corridor Project. Caltrans and FHWA have provided additional information on the independent utility and logical termini for those projects, including information on whether they would preclude evaluation of alternatives for I-5. We have agreed with the independent utility of the 5/56 Freeway Connectors, the Lomas Santa Fe Interchange, and the HOV Extension between San Dieguito River and San Elijo Lagoon Bridge. We agree with the decision to either incorporate the analysis of the Sorrento Valley Road/Roselle Street, Manchester Interchange, Birmingham to Leucadia auxiliary lane, Encinitas Boulevard, and 5/78 Connectors into the

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Figure 5-4.8: USEPA Concurrence with Range of Alternatives

analysis of the North Coast project, or to analyze the projects separately after a decision is rendered on the North Coast project.

We note that during Interagency meetings, the California Coastal Commission has continued to raise concerns related to the potential impacts to coastal resources from the proposed project alternatives. We encourage Caltrans and FHWA to continue coordinating with the California Coastal Commission regarding its concerns, and support inclusion of any additional design modifications to further avoid and minimize coastal impacts. We also support additional alternatives be analyzed in the Draft EIS should a broader range of alternatives be needed to satisfy state requirements.

As a next step, and as described in the NEPA/404 MOU, EPA will review the Draft EIS. We are available to continue working with the Interagency Group to further refine the design of project alternatives to increase measures to avoid and minimize impacts to resources. In addition, we would like to continue being involved in conceptual mitigation discussions.

Thank you for requesting our concurrence on the range of alternatives to be analyzed in the Draft EIS. If you have any questions or comments, please contact me at (415) 972-3988 or Connell Dunning of my staff at (415) 947-4161 or at Dunning.Connell@epa.gov.

Sincerely,



For Duane James, Manager
 Environmental Review Office

Enclosure: Caltrans Request for Concurrence

Cc: Suzanne Glasgow, California Department of Transportation
 Tami Grove, California Coastal Commission
 Pam Beare, California Department of Fish and Game
 Stephanie Hall, U.S. Army Corps of Engineers
 Kurt Roblek, U.S. Fish and Wildlife Service
 Bob Hoffinan, National Oceanic and Atmospheric Administration
 Richard Chavez, SANDAG

Figure 5-4.8 (cont.): USEPA Concurrence with Range of Alternatives

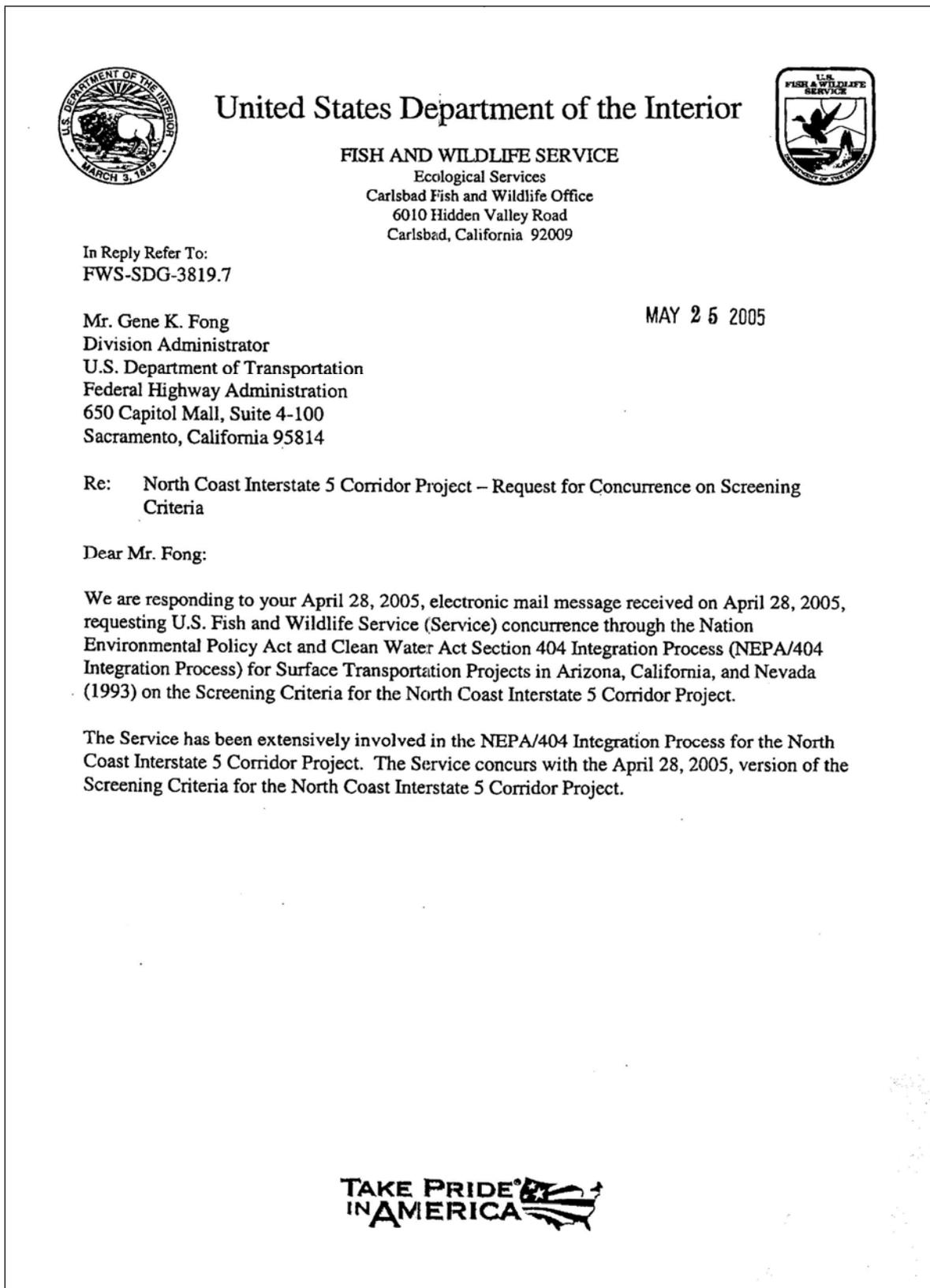


Figure 5-4.9: USFWS Concurrence with Criteria Matrix

Mr. Gene K. Fong (FWS-SDG-3819.7)

2

If you have any questions or concerns about this correspondence, please contact John DiGregoria of my staff at (760) 431-9440, extension 203.

Sincerely,



Therese O'Rourke
Assistant Field Supervisor

cc: Charles "Muggs" Stoll, Deputy District Director Environmental Division, Caltrans District 11 Office

Figure 5-4.9 (cont.): USFWS Concurrence with Criteria Matrix

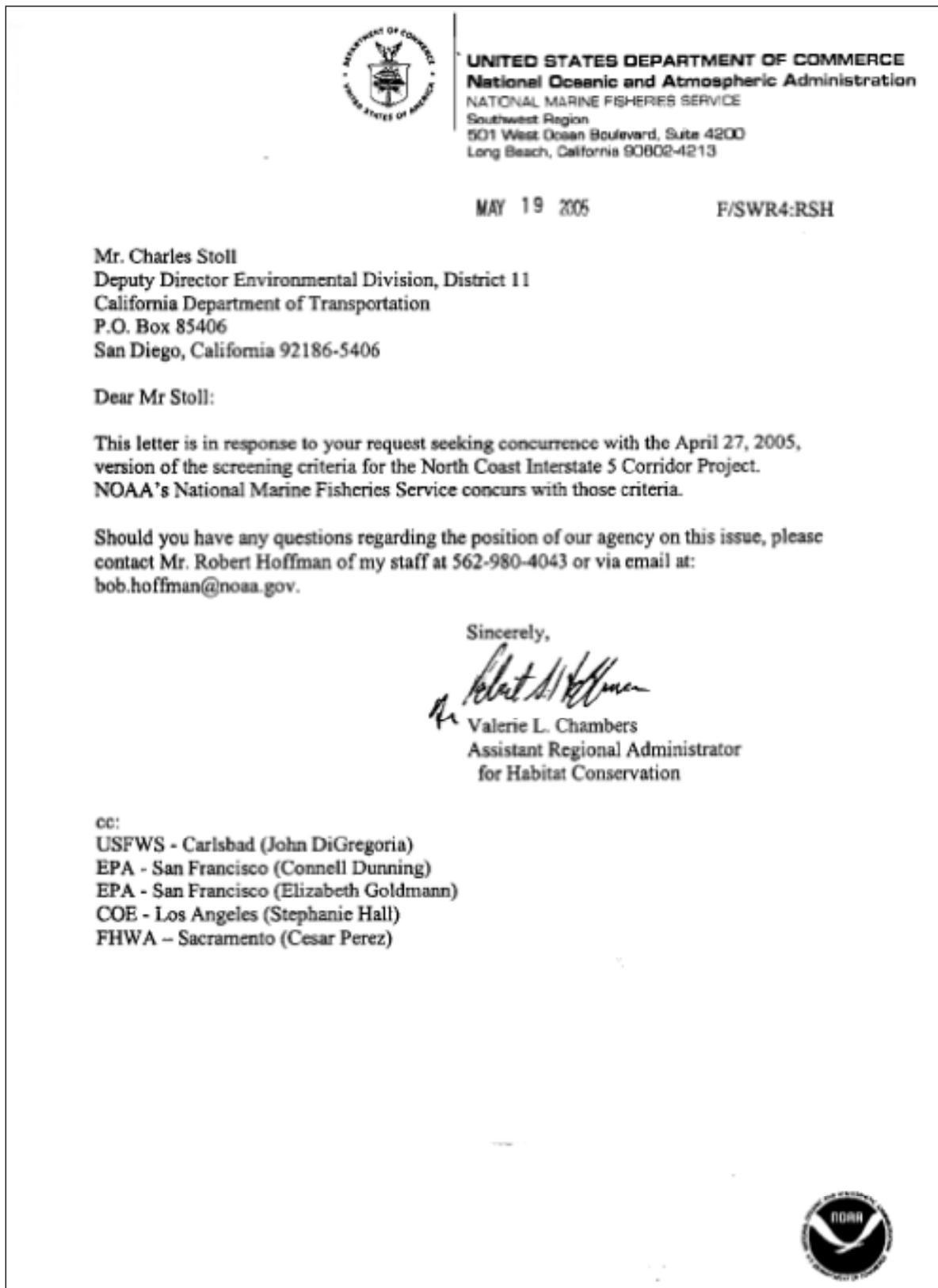


Figure 5-4.10: NOAA/NMFS Concurrence with Criteria Matrix



DEPARTMENT OF THE ARMY
LOS ANGELES DISTRICT, CORPS OF ENGINEERS
P.O. BOX 532711
LOS ANGELES, CALIFORNIA 90053-2325

June 29, 2005

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Branch

Cesar E. Perez
Team Leader-South Region
Federal Highway Administration, California Division
650 Capitol Mall, Suite 4-100
Sacramento, California 95814

Subject: Concurrence on Screening Criteria for North Coast I-5 Corridor Project

Dear Mr. Perez:

At the request of the Federal Highways Administration (FHWA) and the California Department of Transportation (Caltrans), the U.S. Army Corps of Engineers (USACE) has been asked to provide concurrence on Screening Criteria for the North Coast I-5 Corridor Project, San Diego, California.

We appreciated the opportunity for continued involvement on this project, and pursuant to the National Environmental Policy Act Clean Water Act section 404 Integration Process Memorandum of Understanding (NEPA/404 MOU), we are providing concurrence on the Screening Criteria for the North Coast I-5 Corridor Project as revised and submitted on April 28, 2005. The document provides evaluation criteria and measured parameters to be used in the identification of alternatives best suited to be carried forward for detailed analysis in the Draft Environmental Impact Statement/Report (EIS/EIR).

The next step in the NEPA/404 Integration Process is to identify a range of alternatives to be included in the Draft EIS/EIR. We anticipate the opportunity to incorporate the concerns of this agency in specific regard to the issue of independent utility related to several projects planned along the I-5 Corridor. The Corps, as well as other Federal and State resource agencies, has expressed concern that decisions resulting from these projects may preclude the consideration of a range of reasonable alternatives for the North Coast I-5 Corridor Project. Although supplemental information has been provided addressing this issue, the decision of whether to incorporate some, all, or none of these projects into the larger I-5 project is on-going.

Figure 5-4.11: USACE Concurrence with Criteria Matrix

-2-

Once again, we appreciate this opportunity for continued involvement in the development of this project. If you have any questions, please contact Stephanie J. Hall of my staff at (213) 452-3410. Please refer to this letter and 200401089-SJH in your reply.

Sincerely,

David J. Castanon
Chief, Regulatory Branch 

cc:
EPA (Connell Dunning)
EPA (Elizabeth Goldmann)
USFWS (John DiGregoria)
NOAA (Robert Hoffman)
Caltrans (Gladys Baird)

Figure 5-4.11 (cont.): USACE Concurrence with Criteria Matrix

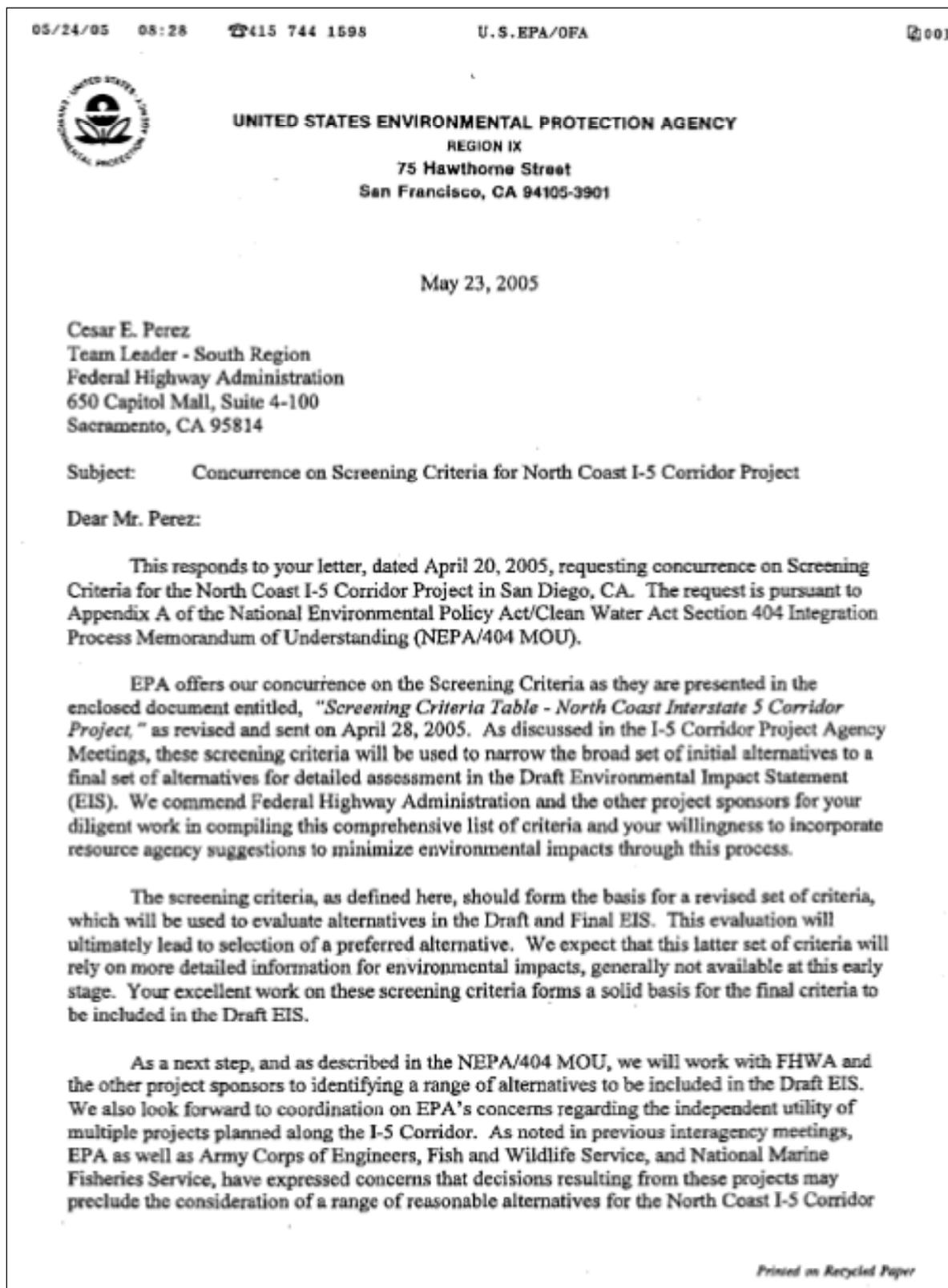


Figure 5-4.12: USEPA Concurrence with Criteria Matrix

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U. S. EPA/OFA

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Project (I-5). Caltrans and FHWA have provided additional information on the independent utility and logical termini for those projects, including information on whether they would preclude evaluation of alternatives for I-5. We have agreed with the independent utility of the State Route 56 Improvement Project in the City of San Diego but have remaining concerns with several interchange projects along the corridor, especially at Manchester. EPA is meeting with FHWA and Caltrans to discuss whether these other projects should be incorporated into, or separated from, the I-5 project. We appreciate the efforts by Caltrans and FHWA on this matter.

Thank you for requesting our agreement on Screening Criteria to identify alternatives that will be analyzed in the Draft EIS. If you have any questions or comments, please contact me or Connell Dunning of my staff at (415) 947-4161 or at Dunning.Connell@epa.gov.

Sincerely,



Nova Blazej, Acting Manager
Environmental Review Office

Enclosure: Screening Criteria Table

Cc: Charles "Mugs" Stoll, California Department of Transportation
John DiGregoria, Fish and Wildlife Service
Stephanie Hall, Army Corps of Engineers
Bob Hoffman, National Marine Fisheries Service
Tami Grove, California Coastal Commission
Pam Beare, California Department of Fish and Game

Figure 5-4.12 (cont.): USEPA Concurrence with Criteria Matrix



05/24/05 08:28 ☎415 744 1598 U. S. EPA/OFA 003

Screening Criteria Table - North Coast Interstate 5 Corridor Project

Evaluation Criteria	Measured Parameter
1. Traffic Flow and Congestion Relief	Total hours of vehicle travel; daily vehicle hours of delay compared to No Build; LOS (A, B, C ...); Peak Period Miles of LOS F; Origin-Destination Travel Times along I-5 corridor
2. Compatible with future bus rapid transit and other modal options	Accommodate mass transit included in 2030 RTP
3. Impacts to FEMA 100-year floodplains	Acres
4. Impacts to Waters of the U.S. including wetlands and coastal lagoons	Acres directly and indirectly affected
5. Impacts to Waters of the State including wetlands	Acres directly and indirectly affected
6. Impacts to Coastal Commission wetlands	Acres directly and indirectly affected Effects on hydrology (sedimentation) and tidal circulation
7. Impacts to transitional/upland habitats associated with wetlands and shading of wetlands	Acres permanently and temporarily affected
8. Impacts to Federal and State T and E plant species	Species directly and indirectly affected
9. Impacts to Federal and State T and E animals species	Species directly and indirectly affected
10. Impacts to Federal and State listed T and E habitat	Acres of habitat directly and indirectly affected
11. Impacts to existing permitted restoration efforts	Acres of existing restoration efforts directly and indirectly affected
12. Impacts to biological core areas and linkages including those in NCCP areas	Yes/No
13. Economic impacts to the region	Hours of delay times average cost per hour of delay
14. Impacts to Environmental Justice communities	Yes/No, number of communities affected
15. Residential units displaced	Number of residential units
16. Community Connectivity	Number and type of facility that can restore connectivity
17. Businesses displaced	Number of businesses
18. New Right of Way	Acres acquired
19. Project Cost-including Right of Way acquisition and construction	Total Cost (in millions)
20. Estimated biological mitigation costs	Total Cost/Acre
21. Number of 4(f) resources affected	Name/type of resource/acres affected
22. Eligible and listed cultural resource sites affected	Number of eligible and number of listed sites
23. Noise Impacts	Number of receptor sites that exceed Noise Abatement Criteria
24. Visual Impacts	Square footage of walls Effects on public views of ocean/scenic resource areas
25. Median planting remain	Yes/No and type of planting
26. Mature Tree Removal	Number and type of trees
27. Maintainability of Facility	High/Medium/Low
28. Geometric Design Standards	Number of design exceptions/type
29. Consistency with local land use and circulation plans	Plans non-conforming
30. Water Treatment	Water Quality Standards
31. Hazardous Wastes	Number of known sites
32. Air Quality	Number of residences and sensitive receptors within 100 meters of the freeway and number of VMT

04/27/05

Figure 5-4.12 (cont.): USEPA Concurrence with Criteria Matrix



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
 Carlsbad Fish and Wildlife Office
 2177 Salk Avenue, Suite 250
 Carlsbad, California 92008



In Reply Refer To:
 FWS-SDG-08B0100-13 CPA0203

JUN 18 2013

Ms. Kim Smith
 Chief, Environmental Stewardship Branch
 California Department of Transportation
 4050 Taylor Street
 San Diego, California 92110

Subject: Request for Concurrence on the Least Environmentally Damaging Practicable Alternative and Mitigation Plan for the I-5 North Coast Corridor Project, San Diego County, California

Dear Ms. Smith:

We have reviewed your request dated April 29, 2013, for our concurrence on the Preliminary Least Environmentally Damaging Practicable Alternative (LEDPA) and Mitigation Plan (Resource Enhancement and Mitigation Program – REMP) for the I-5 North Coast Corridor Project, pursuant to the National Environmental Policy Act/Clean Water Act Section 404 Integration Process for Federal Aid Surface Transportation Projects in California Memorandum of Understanding (NEPA/404 MOU). The California Department of Transportation (Caltrans) has assumed Federal Highway Administration's responsibilities with regard to environmental review, consultation, and NEPA compliance for this project in accordance with Section 6005 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 2005, as described in the NEPA Delegation Pilot Program Memorandum of Understanding between FHWA and Caltrans (effective July 1, 2007), and codified in 23 U.S.C. 327(a)(2)(A).

We appreciate the coordination that has occurred on this project, including your consideration of the numerous concerns that the resource agencies have raised regarding the project and the associated mitigation measures. By transmittal of this letter, we provide our agreement that the 8 + 4 with Buffer Alternative, as described in your April 29, 2013, letter, is the Preliminary LEDPA for the I-5 North Coast Corridor Project. We also agree that the REMP meets your compensatory mitigation obligation for impacts to wetlands and uplands, although many of the details regarding the coastal lagoon restoration projects are un-resolved. We look forward to continuing to coordinate on the development and implementation of the restoration plans for the coastal wetlands.

For clarification purposes, our agreement should not be construed as support for all of the proposed community enhancement projects. We request that the resource agencies be given



Figure 5.4-13: USFWS Concurrence with LEDPA

Ms. Kim Smith (FWS-SDG-08B0100-13CPA0203)

2

further opportunity to review and comment on the location and extent of new trails and staging areas proposed within the lagoons, as well as design plans for the proposed wildlife connectivity features under the bridges.

We appreciate Caltrans commitment to continue to work closely with the resource agencies to further refine the design of the I-5 North Coast Corridor Project to avoid and minimize impacts to sensitive species and habitats. Thank you for the opportunity to participate in the transportation planning process; we look forward to our continued coordination in these matters. If you have any questions regarding this letter, please contact Susan Wynn of this office at 760-431-9440, extension 216.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor

cc:

Stephanie Hall, Corps of Engineers, Los Angeles, CA
Connell Dunning, Environmental Protection Agency, San Francisco, CA
Elizabeth Goldmann, Environmental Protection Agency, San Francisco, CA

Figure 5.4-13 (cont.): USFWS Concurrence with LEDPA



UNITED STATES DEPARTMENT OF COMMERCE
 National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE
 Southwest Region
 501 West Ocean Boulevard, Suite 4200
 Long Beach, California 90802-4213

MAY 28 2013

In response, refer to:
 2012/09268

Kim T. Smith, Chief
 Environmental Stewardship/Ecological Services Branch
 California Department of Transportation
 District 11
 4050 Taylor Street, M.S. 242
 San Diego, California 92110

NOAA's National Marine Fisheries Service (NMFS) has reviewed the Administrative Draft for the Final Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) for the Interstate 5 (I-5) North Coast Corridor Project, the draft response to our comments dated November 19, 2010, on the Draft EIR/EIS, and the Caltrans letter requesting agency concurrence on the preliminary Least Environmentally Damaging Practicable Alternative (LEDPA) and the Resource Enhancement and Mitigation Plan (REMP).

NMFS believes the draft response to our comments adequately addresses issues raised in our 2010 letter. NMFS has no additional, substantive comments to provide regarding the Final EIR/EIS, but is providing some clarifying comments regarding our interagency consultation process. On page 3.20-6, the Final EIR/EIS includes a paragraph discussing the essential fish habitat (EFH) consultation pursuant to the Magnuson-Stevens Fishery Conservation and Management Act and the consultation for endangered steelhead trout pursuant to Section 7 of the Endangered Species Act (ESA). NMFS would like to clarify that your EFH consultation requirement was satisfied by your January 3, 2013, response in which Caltrans adequately incorporated our EFH conservation recommendations. Assuming continued coordination on implementation of the REMP, NMFS has no additional comments to provide regarding EFH. As a matter of clarification, NMFS concluded Section 7 consultation in accordance with 50 CFR 402.13 (a) for the proposed project on May 16, 2013. NMFS recommends that the Final EIS/EIR reference the EFH and ESA consultations under separate headings given the different underlying issues and statutes.

NMFS appreciates the interagency coordination and Caltrans' approach to address adverse impacts associated with the proposed project. We concur that 8 + 4 with Buffer Alternative is the LEDPA and that the REMP provides the appropriate framework for meeting mitigation obligations for impacts to NMFS trust resources. We look forward to continued engagement on REMP implementation.

Thank you for consulting with NMFS. If you have any questions associated with our comments, please contact Bryant Chesney at (562) 980-4037 or Bryant.Chesney@noaa.gov.

Sincerely,


 for William W. Stelle, Jr.
 Acting Regional Administrator



Figure 5.4-14: NOAA/NMFS Concurrence with LEDPA



DEPARTMENT OF THE ARMY

Los Angeles District, Corps of Engineers
P.O. Box 532711
Los Angeles, California 90053-2325

July 15, 2013

REPLY TO
ATTENTION OF:

Office of the Chief
Regulatory Division

Kim T. Smith, Chief, Environmental Stewardship Branch
California Department of Transportation, District 11
ATTN: Sandra Lavender
4050 Taylor Street, MS-242
San Diego, California 92110

Subject: I-5 North Coast Corridor (I-5 NCC) Project, Request for Agency Concurrence on the Preliminary Least Environmentally Damaging Practicable Alternative (LEDPA) and the Conceptual Mitigation Plan (Resource Enhancement and Mitigation Program)

Dear Ms. Smith:

The U.S. Army Corps of Engineers (Corps) is responding to the California Department of Transportation (Caltrans) request, dated April 29, 2013, for concurrence on the "Preliminary Least Environmentally Damaging Practicable Alternative (LEDPA)" and the "Conceptual Mitigation Plan", known as the Resource Enhancement and Mitigation Program (REMP), for the Interstate (I) 5 North Coast Corridor Project, San Diego County, California.

In accordance with the *National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Federal Aid Surface Transportation Projects Memorandum of Understanding (NEPA/404 MOU)*, you sent a request for our concurrence on the "Preliminary LEDPA" and the "Conceptual Mitigation Plan" (REMP), to complete our third checkpoint in the NEPA/404 MOU process. To support the preliminary LEDPA determination, you submitted to us a draft section 404(b)(1) alternatives analysis; and as you know, we have reviewed more than one version of the document, with the latest version provided to us by electronic mail on May 29, 2013.

The Corps concurs, based on on-going resource and regulatory agency meetings and the review of draft documents to date, that the Caltrans-identified "Preferred Alternative, 8+4 with

Figure 5.4-15: USACE Concurrence with LEDPA

-2-

Buffer”, as described in the Draft Environmental Impact Report/Statement (EIR/S), and further refined in the Supplemental EIR/S to minimize impacts, is the “Preliminary LEDPA”. However, this concurrence is based on Caltrans incorporating our latest changes into the draft section 404(b)(1) alternatives analysis document, which, when finalized, will provide the basis for the Corps to make a final LEDPA determination in our Record of Decision.

The Corps also concurs that the conceptual mitigation plan, known as the REMP, is adequate in establishing a framework for addressing compensatory mitigation for project-associated impacts to waters of the U.S. consistent with the included implementation schedule. Moreover, as discussed in the REMP, site-specific plans and other documents, including Habitat Mitigation and Monitoring Plans for each proposed establishment, restoration, and/or enhancement of aquatic resources, will have to be prepared and approved by the Corps and other applicable agencies prior to implementing each of the REMP’s compensatory mitigation projects.

The Corps has provided early and consistent input on this proposed project and alternatives via our participation in the I-5 NCC Working Group, which includes representatives of Federal and State resource and regulatory agencies. The Corps appreciates the opportunities Caltrans has provided for reviews and feedback on this project and alternatives via the Working Group. We thank you for requesting our agreement on the preliminary LEDPA and the REMP, and we look forward to our continued partnership in concluding the NEPA/404 MOU process for this project.

If you have any questions, please contact Stephanie Hall of my staff at 213-452-3410 or via e-mail at Stephanie.J.Hall@usace.army.mil. Please refer to this letter and SPL-2004-01089-SJH in your reply.

Sincerely,



Mark D. Cohen
Deputy Chief, Regulatory Division

“Building Strong and Taking Care of People!”

Figure 5.4-15 (cont.): USACE Concurrence with LEDPA



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

 75 Hawthorne Street
 San Francisco, CA 94105-3901

 Manuel Sanchez
 Federal Highway Administration
 401 B Street, Suite 800
 San Diego, California 92101

JUN 10 2013

Subject: EPA Concurrence on the Preliminary Least Environmentally Damaging Practicable Alternative and Conceptual Mitigation Plan for the Interstate 5 North Coast Corridor Improvement Project

Dear Mr. Sanchez:

The U.S. Environmental Protection Agency (EPA) has reviewed the request for concurrence on the Preliminary Least Environmentally Damaging Practicable Alternative and Conceptual Mitigation Plan for the Interstate 5 North Coast Corridor Project. Our review is pursuant to the National Environmental Policy Act and Clean Water Act Section 404 Integration Process for Federal Aid Surface Transportation Projects in California (NEPA/404 MOU). EPA is both a "Cooperating Agency and a "Participating Agency" (as defined in 23 USC 139) for this project.

EPA previously rated the Draft EIS and the Supplemental Draft EIS for this project as *Environmental Concerns – Insufficient Information* (EC-2), provided comments on an Administrative Draft of the Final EIS, and provided concurrence on the Purpose and Need and Range of Alternatives to be analyzed in the EIS.

Following our review of the 404(b)1 package and Mitigation Plan materials submitted, coordination at interagency meetings, and previous correspondence to date, EPA provides concurrence that the 8+4 with Buffer Alternative is the preliminary least environmentally damaging practicable alternative. EPA also concurs with the conceptual mitigation plan (Resource Enhancement and Mitigation Program).

While we are providing concurrence with the preliminary LEDPA and conceptual mitigation plan, through this letter we reiterate the importance of demonstrating compliance with EPA's 404(b)1 Guidelines through analysis of the direct, indirect and cumulative impacts to waters of the U.S. (40 CFR 230.11 (h)). For unavoidable indirect impacts to waters, Caltrans must provide compensatory mitigation (40 CFR 230.10 (d)). Only when this analysis has been performed can the applicant or the resource and regulatory agencies be assured that no discharge other than the practicable alternative with the least impact on the aquatic ecosystem has been selected (40 CFR 230.10(a)). We continue to recommend that FHWA and Caltrans clarify and quantify the indirect impacts to waters of the U.S., where feasible, and propose compensatory mitigation for any unavoidable, indirect impacts. The description of the approach for compensatory mitigation outlined in the Final EIS should reflect the most current description of mitigation under the Resource Enhancement and Mitigation Program.

Further, we understand that Caltrans and FHWA have been corresponding with the Army Corps of Engineers to integrate additional edits to the 404(b)1 Package and REMP. At your earliest convenience, please submit to us the final version of those documents with additional edits incorporated so that we can confirm that our concurrence is still valid.

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Figure 5.4-16: USEPA Concurrence with LEDPA

Thank you for coordinating through the NEPA/404 MOU process. We look forward to continuing to work with you and Caltrans for the remainder of the environmental review and permitting process for this project. If you have any questions on our comments, please contact me at 415-947-4161 or Elizabeth Goldmann (415-972-3398), the lead reviewers for this project.

Sincerely,



Connell Dunning, Transportation Team Supervisor
Environmental Review Office
Communities and Ecosystems Division

cc via Email: Shay Lynn Harrison, California Department of Transportation
Kim Smith, California Department of Transportation
John Chisholm, California Department of Transportation
Stephanie Hall, U.S. Army Corps of Engineers
Susan Wynn, U.S. Fish and Wildlife Service
Bryant Chesney, National Marine Fisheries Service
Tami Grove, California Coastal Commission
Tim Dillingham, California Department of Fish and Game
Mike Porter, California Regional Water Quality Control Board San Diego Region

Figure 5.4-16 (cont.): USEPA Concurrence with LEDPA

From: Shawna Anderson [<mailto:shawna@sdrp.org>]
Sent: Wednesday, May 22, 2013 10:34 AM
To: Harrison, Shay Lynn M@DOT
Cc: Dick Bobertz; 'Susan Carter'
Subject: North Coast Bike Trail 4(f) concurrence

Hi Shay,

The San Dieguito River Park JPA Board at their May 17 meeting concurred with the I-5 NCC Project's use of SDRP 4(f) property for the North Coast Bike Trail, with the condition that it connect to the Coast to Crest Trail and that Caltrans work with the JPA on the design details for that connection.

Please let me know if you need something more formal from us for your concurrence requirement.

Thanks!

Shawna

Shawna Anderson, AICP

Principal Planner

San Dieguito River Park JPA

18372 Sycamore Creek Rd,

Escondido, CA 92025

858-674-2275, ext 13

FAX: 858-674-2280

www.sdrp.org

Figure 5-5.1: San Dieguito River Park Concurrence on Section 4(f) Exemption

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
4050 TAYLOR STREET, M.S. 242
SAN DIEGO, CA 92110
PHONE (619) 688-0100
FAX (619) 688-4237
TTY 711
www.dot.ca.gov



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August 27, 2013

11-SD-5
PM: R28.4 to R55.4
EA: 235800 (1100000159)
SCH#: 2004101076

Mr. Edmund Pert
California Department of Fish & Wildlife
South Coast Region 5
3883 Ruffin Road
San Diego, CA 92123

Dear Mr. Pert:

RE: San Elijo Lagoon Potential Impacts with I-5 NCC Project

The California Department of Transportation (Caltrans) District 11, on behalf of the Federal Highway Administration (FHWA), is seeking written concurrence for potential use of a portion of the San Elijo Lagoon Ecological Reserve within the City of Encinitas along Interstate 5 (I-5) that potential use of reserve land would not alter the functions of this ecological reserve.

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966 states that a policy of the United States Government is that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. These requirements are now codified at 49 U.S.C. § 303 and 23 U.S.C. § 138. FHWA and Caltrans have concluded that the San Elijo Lagoon warrants protection under Section 4(f) as it is a publicly accessed and publicly leased recreation area.

FHWA and Caltrans have prepared a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) and a Supplemental Draft Environmental Impact Report/Environmental Impact Statement (Supplemental Draft EIR/EIS) for the proposed I-5 North Coast Corridor Project (I-5 NCC Project). FHWA and Caltrans propose improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles (PM R28.4 to R55.4) along I-5. Impacts to San Elijo Lagoon were discussed in Appendix A: Resources Evaluated Relative to the Requirements of Section 4(f).

In July 2011, Caltrans identified the 8+4 Buffer Alternative (I-5 Express Lanes) as the Locally Preferred Alternative (LPA). The LPA consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a buffer from the existing four general purpose lanes in each direction.

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Figure 5-5.2: CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Edmund Pert
August 27, 2013
Page 2

APPLICABILITY OF SECTION 4(f)

Section 4(f) allows the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, state or local significance; wildlife or waterfowl refuges; or lands from a historic site of national, state or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 U.S.C. 303[d]; 23 U.S.C. 138). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (this was included in the public comment period for the I-5 NCC Project Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must concur, in writing, with the finding of Caltrans and FHWA (in the case of parks, recreation areas, and wildlife and waterfowl refuges) that the project would not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]).

SAN ELIJO LAGOON ECOLOGICAL RESERVE

The San Elijo Lagoon Ecological Reserve is located within the cities of Encinitas and Solana Beach and extends inland to the community of Rancho Santa Fe. The Reserve is bordered by the Pacific Ocean to the west, and a mix of residential and undeveloped land to the east, north, and south. The entire Reserve is approximately 1,000 acres (ac) in size. It is primarily a shallow-water estuary fed by a 77-miles squared (mi²) watershed with two main tributaries, Escondido Creek and La Orilla Creek, and is divided into a west, central, and eastern basin by Highway 101, the railway, and I-5. It contains a diverse habitat with six plant communities including coastal strand, salt marsh, freshwater marsh, riparian scrub, coastal sage scrub, and mixed chaparral. The habitat supports a variety of plant and wildlife species.

The Reserve is owned jointly by the California Department of Fish and Wildlife (CDFW), the County of San Diego Department of Parks and Recreation (DPR) and the San Elijo Lagoon Conservancy (SELC). All three agencies have an agreement to operate San Elijo Lagoon as a State Ecological Reserve under the administration of the DPR. The boundary of the Reserve is contiguous with Caltrans right-of-way where I-5 separates the eastern and central basins. The Reserve includes over 8 km (7 mi) of hiking trails open to the public. These trails can be reached from the north end of Rios Avenue, Holmwood Lane, Solana Hills Drive, Santa Inez Drive, Santa Carina Drive, and Santa Helena Drive on the south side of the lagoon in Solana Beach, and along El Camino Real at La Orilla Creek in the community of Rancho Santa Fe at the east end.

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Figure 5-5.2 (cont.): CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Edmund Pert
August 27, 2013
Page 3

The trails are designated for hiking-only in the Central Basin, and both equestrian and hiking in East Basin. The multi-use trail system is restricted to the East Basin, as the riprap slope protection under the I-5 bridge at Manchester Avenue prevents equestrian passage into the West Basin. A Nature Center, located at 2710 Manchester Avenue in Encinitas on the northwest side of the Reserve, provides county ranger offices, museum-quality exhibits, an observation deck, tables and chairs, a parking lot, restrooms, drinking water, and a 1 mile loop trail.

Visitor usage of the Reserve is estimated between 100,000 to 120,000 visitor use days per year (entry onto the Reserve is equal to one visitor use per day). The Nature Center visitor usage is approximately 55,000 to 65,000 visitor use days per year. Visitors are primarily residents of the surrounding neighborhoods, and jogging is popular along the southern trails. School field trips are held at the Nature Center as well as the Rios and Santa Carina trailheads. The park's status as a publicly owned ecological Reserve and recreation area qualifies the Reserve as a resource subject to protection under Section 4(f).

Impacts with 8+4 with Buffer Alternative (Locally Preferred Alternative)

Per the 2050 Regional Transportation Plan, implementation of the 8+4 with Buffer Alternative within the San Elijo Lagoon would occur between years 2015 to 2020. This phase includes the San Elijo bridge replacement, I-5 North Coast (NC) Bike Trail, and proposed Community Enhancement trails. See the enclosure. Permanent impacts from these improvements would use approximately 0.23 acres with 0.56 acres of temporary impacts for a temporary construction easement. At project completion, the temporary construction easement would re-establish the maintenance and pedestrian trail. The total area for use consists of degraded coastal sage scrub habitat, and is approximately 0.079% of the total Reserve area. Approximately 0.61 ac of this use would occur on property owned by the County of San Diego, while the remaining 0.18 ac would occur on property owned by the CDFW. See the enclosed figure. These minor land uses would not alter or affect any recreation activities at the lagoon. Coordination with the CDFW, DPR, and the SELC will continue to clarify the proposed use.

Proposed *De Minimis* Finding

Under any I-5 NCC Project alternative, the quantity of Reserve land proposed for use is extremely small at 0.79 acres. Access to existing trailheads and designated trails would remain open, and after project implementation would be enhanced. The visual character of the Reserve would not be measurably altered by the freeway widening. The existing noise levels in the Reserve range from 60 dBA to 67 dBA. With the project, future noise levels at the Reserve are projected to increase approximately 1 dBA from the existing noise levels. This 1 dBA increase would not be perceptible to the human ear. The increase in noise would not substantially

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Figure 5-5.2 (cont.): CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Edmund Pert
August 27, 2013
Page 4

increase the potential for noise to impact sensitive species. Therefore, increases in traffic-related noise would not be noticeable to park users and would not impair the wildlife habitat functions of the Reserve.

Areas of natural vegetation disturbed through construction would be restored with native plant species and mitigated at ratios agreed upon by the resource agencies as part of the overall mitigation plan for the proposed project. In recognition of the unique opportunities and value of comprehensive lagoon restoration activities for corridor lagoons, the mitigation plan called the Resource Enhancement Mitigation Program (REMP) includes large-scale lagoon ecosystem restoration and enhancement mitigation opportunities, which will result in significant ecological lift to the lagoon system. The mitigation opportunity includes potential funding for a large-scale lagoon restoration program in full for San Elijo Lagoon, which would be in addition to funds already contributed to previous and ongoing planning and technical evaluation activities necessary to facilitate and implement these lagoon restoration programs. Large-scale lagoon restoration in San Elijo Lagoon may include, but is not limited to, enhancement and restoration (both types) of wetland and other aquatic resources in the associated Lagoons. The intent of the large-scale lagoon restoration funding is to improve the ecological health and hydrological connectivity and to enhance critical coastal resources and habitats. The degraded upland coastal sage community located within the area for *de minimis* is currently included within the mitigation plan. The upland habitat would be mitigated outside of the lagoon at Dean and Deer Canyon mitigation sites.

Overall, it is expected that use of up to 0.23 acres for a permanent impact and 0.56 ac for a temporary construction easement of Reserve land would not adversely affect any of the activities, features, or attributes of the Reserve that qualify the resource for protection under Section 4(f) and is proposed as *de minimis*.

Coordination between Caltrans/FHWA and the California Department of Fish and Wildlife

In correspondence received from the CDFW during the public comment period for the Draft Environmental Impact Report / Environmental Impact Statement for the Interstate 5 North Coast Corridor Project and the comment period for the Supplemental Draft Environmental Impact Report / Environmental Impact Statement for the Interstate 5 North Coast Corridor Project, the CDFW did not protest regarding the *de minimis* findings made by Caltrans/FHWA.

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Figure 5-5.2 (cont.): CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Edmund Pert
August 27, 2013
Page 5

On April 3, 2013, Caltrans, on behalf of FHWA, met with CDFW, DPR, and SELC.

Since the project design is still in the preliminary phases, further coordination with the CDFW, DPR, and SELC will occur regarding the following:

- Continuing discussions on separation between pedestrians and bicyclists.
- Ensuring that access control coordination for signage and gates within the Reserve is continued. In particular, Solana Hills Drive and the NC Bike Trail.
- Continuing discussions in which existing trails should be tied into the bench trail under the south abutment.
- Continuing discussions to ensure trails and maintenance roads are open for use during construction.
- Working with all stakeholders on design details (fencing, retaining walls, signage, access, pavement surface, plants, and maintenance).
- Providing information on the cut and fill volumes associated with impacts to San Elijo triggered by Section 4(f).
- Continuing discussions regarding right-of-way exchange.

Furthermore, Caltrans acknowledges the CDFW, DPR, and SELC may identify other concerns besides those listed above. For that reason, Caltrans looks forward to continued coordination throughout the project lifecycle.

Caltrans is now requesting your written concurrence in this *de minimis* determination, as required under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). A signature block is provided at the bottom of this letter for your convenience. If you have any questions, please contact Shay Lynn Harrison, Chief, Environmental Analysis, Branch C, at (619) 688-0190.

Sincerely,



BRUCE L. APRIL
Deputy District Director, Environmental

Enclosure

c: Shay Lynn M. Harrison, Chief, Environmental Analysis, Branch C

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Figure 5-5.2 (cont.): CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

California Department of Fish & Wildlife Service Concurrence with *De Minimis* Impact Finding for San Elijo Lagoon Reserve

The signature below represents written concurrence on the *de minimis* impact finding that the proposed Interstate 5 North Coast Corridor Project 8+4 Buffer Alternative would not adversely affect the activities, features, and attributes that qualify the property, San Elijo Lagoon, for protection under Section 4(f) within the City of Encinitas.



Mr. Edmund Pert
Regional Manager
California Department of Fish & Wildlife
South Coast Region 5

8-30-13
DATE

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Figure 5-5.2 (cont.): CDFW Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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 4050 TAYLOR STREET, M.S. 242
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August 1, 2013

11-SD-5
 PM: R28.4 to R55.4
 EA: 235800 (1100000159)
 SCH#: 2004101076

Mr. Brian Albright, Director
 County of San Diego
 Department of Parks and Recreation
 5500 Overland Avenue, Suite 410
 San Diego, CA 92123

Dear Mr. Albright:

RE: San Elijo Lagoon Potential Impacts with I-5 NCC Project

The California Department of Transportation (Caltrans) District 11, on behalf of the Federal Highway Administration (FHWA), is seeking written concurrence for potential use of a portion of the San Elijo Lagoon Ecological Reserve within the City of Encinitas along Interstate 5 (I-5) that potential use of reserve land would not alter the functions of this ecological reserve.

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966 states that a policy of the United States Government is that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. These requirements are now codified at 49 U.S.C. § 303 and 23 U.S.C. § 138. FHWA and Caltrans have concluded that the San Elijo Lagoon warrants protection under Section 4(f) as it is a publicly accessed and publicly leased recreation area.

FHWA and Caltrans have prepared a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) and a Supplemental Draft Environmental Impact Report/Environmental Impact Statement (Supplemental Draft EIR/EIS) for the proposed I-5 North Coast Corridor Project (I-5 NCC Project). FHWA and Caltrans propose improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles (PM R28.4 to R55.4) along I-5. Impacts to San Elijo Lagoon were discussed in Appendix A: Resources Evaluated Relative to the Requirements of Section 4(f).

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**Figure 5-5.3: County of San Diego Parks and Recreation Concurrence on Section 4(f)
 De Minimis Finding for San Elijo Lagoon**

Mr. Brian Albright, Director
 August 1, 2013
 Page 2

In July 2011, Caltrans identified the 8+4 Buffer Alternative (I-5 Express Lanes) as the Locally Preferred Alternative (LPA). The LPA consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a buffer from the existing four general purpose lanes in each direction.

APPLICABILITY OF SECTION 4(f)

Section 4(f) allows the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, state or local significance; wildlife or waterfowl refuges; or lands from a historic site of national, state or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 U.S.C. 303[d]; 23 U.S.C. 138). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (this was included in the public comment period for the I-5 NCC Project Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must concur, in writing, with the finding of Caltrans and FHWA (in the case of parks, recreation areas, and wildlife and waterfowl refuges) that the project would not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]).

SAN ELIJO LAGOON ECOLOGICAL RESERVE

The San Elijo Lagoon Ecological Reserve is located within the cities of Encinitas and Solana Beach and extends inland to the community of Rancho Santa Fe. The Reserve is bordered by the Pacific Ocean to the west, and a mix of residential and undeveloped land to the east, north, and south. The entire Reserve is approximately 1,000 acres (ac) in size. It is primarily a shallow-water estuary fed by a 77-miles squared (mi²) watershed with two main tributaries, Escondido Creek and La Orilla Creek, and is divided into a west, central, and eastern basin by Highway 101, the railway, and I-5. It contains a diverse habitat with six plant communities including coastal strand, salt marsh, freshwater marsh, riparian scrub, coastal sage scrub, and mixed chaparral. The habitat supports a variety of plant and wildlife species.

The Reserve is owned jointly by the California Department of Fish and Wildlife (CDFW), the County of San Diego Department of Parks and Recreation (DPR) and the San Elijo Lagoon Conservancy (SELC). All three agencies have an agreement to operate San Elijo Lagoon as a State Ecological Reserve under the administration of the DPR. The boundary of the Reserve is contiguous with Caltrans right-of-way where I-5 separates the eastern and central basins.

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Brian Albright, Director
 August 1, 2013
 Page 3

The Reserve includes over 8 km (7 mi) of hiking trails open to the public. These trails can be reached from the north end of Rios Avenue, Holmwood Lane, Solana Hills Drive, Santa Inez Drive, Santa Carina Drive, and Santa Helena Drive on the south side of the lagoon in Solana Beach, and along El Camino Real at La Orilla Creek in the community of Rancho Santa Fe at the east end. The trails are designated for hiking-only in the Central Basin, and both equestrian and hiking in East Basin. The multi-use trail system is restricted to the East Basin, as the riprap slope protection under the I-5 bridge at Manchester Avenue prevents equestrian passage into the West Basin. A Nature Center, located at 2710 Manchester Avenue in Encinitas on the northwest side of the Reserve, provides county ranger offices, museum-quality exhibits, an observation deck, tables and chairs, a parking lot, restrooms, drinking water, and a 1 mile loop trail.

Visitor usage of the Reserve is estimated between 100,000 to 120,000 visitor use days per year (entry onto the Reserve is equal to one visitor use per day). The Nature Center visitor usage is approximately 55,000 to 65,000 visitor use days per year. Visitors are primarily residents of the surrounding neighborhoods, and jogging is popular along the southern trails. School field trips are held at the Nature Center as well as the Rios and Santa Carina trailheads. The park's status as a publicly owned ecological Reserve and recreation area qualifies the Reserve as a resource subject to protection under Section 4(f).

Impacts with 8+4 with Buffer Alternative (Locally Preferred Alternative)

Per the 2050 Regional Transportation Plan, implementation of the 8+4 with Buffer Alternative within the San Elijo Lagoon would occur between years 2015 to 2020. This phase includes the San Elijo bridge replacement, I-5 North Coast (NC) Bike Trail, and proposed Community Enhancement trails. See the enclosure. Permanent impacts from these improvements would use approximately 0.23 acres with 0.56 acres of temporary impacts for a temporary construction easement. At project completion, the temporary construction easement would re-establish the maintenance and pedestrian trail. The total area for use consists of degraded coastal sage scrub habitat, and is approximately 0.079% of the total Reserve area. Approximately 0.61 ac of this use would occur on property owned by the County of San Diego, while the remaining 0.18 ac would occur on property owned by the CDFW. See the enclosed figure. These minor land uses would not alter or affect any recreation activities at the lagoon. Coordination with the CDFW, DPR, and the SELC will continue to clarify the proposed use.

Proposed *De Minimis* Finding

Under any I-5 NCC Project alternative, the quantity of Reserve land proposed for use is extremely small at 0.79 acres. Access to existing trailheads and designated trails would remain open, and after project implementation would be enhanced. The visual character of the Reserve

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Brian Albright, Director
 August 1, 2013
 Page 4

would not be measurably altered by the freeway widening. The existing noise levels in the Reserve range from 60 dBA to 67 dBA. With the project, future noise levels at the Reserve are projected to increase approximately 1 dBA from the existing noise levels. This 1 dBA increase would not be perceptible to the human ear. The increase in noise would not substantially increase the potential for noise to impact sensitive species. Therefore, increases in traffic-related noise would not be noticeable to park users and would not impair the wildlife habitat functions of the Reserve.

Areas of natural vegetation disturbed through construction would be restored with native plant species and mitigated at ratios agreed upon by the resource agencies as part of the overall mitigation plan for the proposed project. In recognition of the unique opportunities and value of comprehensive lagoon restoration activities for corridor lagoons, the mitigation plan called the Resource Enhancement Mitigation Program (REMP) includes large-scale lagoon ecosystem restoration and enhancement mitigation opportunities, which will result in significant ecological lift to the lagoon system. The mitigation opportunity includes potential funding for a large-scale lagoon restoration program in full for San Elijo Lagoon, which would be in addition to funds already contributed to previous and ongoing planning and technical evaluation activities necessary to facilitate and implement these lagoon restoration programs. Large-scale lagoon restoration in San Elijo Lagoon may include, but is not limited to, enhancement and restoration (both types) of wetland and other aquatic resources in the associated Lagoons. The intent of the large-scale lagoon restoration funding is to improve the ecological health and hydrological connectivity and to enhance critical coastal resources and habitats. The degraded upland coastal sage community located within the area for *de minimis* is currently included within the mitigation plan. The upland habitat would be mitigated outside of the lagoon at Dean and Deer Canyon mitigation sites.

Overall, it is expected that use of up to 0.23 acres for a permanent impact and 0.56 ac for a temporary construction easement of Reserve land would not adversely affect any of the activities, features, or attributes of the Reserve that qualify the resource for protection under Section 4(f) and is proposed as *de minimis*.

Coordination and Communication between Caltrans/FHWA and the County of San Diego

Specific responses to each comment in your November 23, 2010, letter from DPR to Caltrans regarding the I-5 NCC Project DEIS will be included in the Final Environmental Impact Statement (FEIS). The DPR has stated it would like additional information prior to concurrence with the proposed *de minimis* finding. Summaries of the more substantive issues raised in relation to this issue, and their responses, are as follows:

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Brian Albright, Director
 August 1, 2013
 Page 5

Trailheads at Solana Hills Drive and North Rios Avenue in City of Solana Beach

Issues The trailhead was described as being a rather minor access point and it was stated that enhancements at the more heavily used North Rios Avenue trailhead should be explored instead. Questions of ownership and maintenance were also raised along with confirmation that an easement road would still be accessible. There were also concerns over the nature of proposed lighting, of a retaining wall, and over erosion control at the North Rios Avenue trailhead.

Response The locations of proposed community enhancements were discussed with various stakeholders, with improvements to the existing trailhead prioritized by the City of Solana Beach, which would manage the proposed amenities. Improvements to other access points and various enhancements, including means of controlling erosion, could be a point of the ongoing stakeholder discussion. Easement road access would be maintained. Lighting would be provided for safety along the I-5 Bike Trail connected to the I-5 freeway, but would be shielded and directed away from the Reserve. Unless lighting is required by the cities, no lighting for the trails within the Reserve is anticipated. Daytime lighting of undercrossings may be required on some trails, though nighttime lighting is not proposed for trails within the Reserve, which would help discourage nighttime use. The purpose of the retaining wall is to minimize encroachment onto adjacent habitat, and it would need to be 30-40 feet tall in order to do so. The freeway users would see the face of the wall. The trail users would be above the retaining wall. In addition, planting to screen the wall is a commitment as part of project design, diminishing perceived incompatibility with the character of the Reserve. Caltrans is in ongoing, extensive coordination with the California Coastal Commission (CCC), and only native plant species would be planted. The Design Guidelines for I-5 strives to be consistent with the character of the adjacent community landscape. Therefore, Caltrans would coordinate with the stakeholders and the CCC to determine if non-native drought tolerant plants would also be feasible to screen the retaining walls in certain areas.

Manchester Avenue Pedestrian Bridge and Trail, City of Encinitas

Issues Concerns over nighttime lighting impacts on wildlife and on perceived security issues were raised at this location, along with trail and retaining wall design. Potential public safety and access problems in an adjacent area were also raised.

Response The Manchester Avenue pedestrian bridge and suspended trail would comprise part of the regional I-5 North Coast Bike Trail to provide for and improve public access. Lighting would be provided along Manchester Avenue and the bridge for safety, but would be shielded to help focus light on the trail and avoid the Reserve. The use of retaining walls would

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Brian Albright, Director
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reduce the size of the impacted area and, along with fencing, help keep users out of more sensitive areas. In certain locations signage would also be used to discourage access into sensitive areas and to advise users that the Reserve is closed after dark. The bike trail is not within the Reserve. Requested access points between the I-5 Bike Trail and the Reserve would be coordinated with the DPR, DFW, and SELC to install features that restrict bicycle access to the reserve trails. Co-located bike/pedestrian trails would consist of paved surface for bikes and an adjacent soft surface for pedestrians. The pedestrian trail along the west side of the freeway south of the lagoon within the Reserve would be decomposed granite. The toe of the slope would be revegetated with salt marsh species and bioswales would be kept out of wetland.

Issues 2e) Retaining walls adjacent to the proposed trail along the south side of the lagoon do not fit the natural character of the lagoon and may interfere with proposed restoration efforts. Please design the trail such that a retaining wall is not required.

Response The retaining wall proposed on the south side of the lagoon would support the trail mid-slope rather than down at toe of slope where it is currently sited. The purpose of the wall is to minimize slope spread, separate trail users from more sensitive portions of the lagoon such as areas along the water edge, and retain construction and use impacts to within Caltrans right-of-way. Lack of a retaining wall would result in additional environmental impacts and is therefore currently not under consideration for final design. The retaining wall is being developed in coordination with the restoration efforts.

Issues 2c) Trail improvements on the west side of I-5 should extend the length of the berm to connect to the existing trail along the south shore of the lagoon. A current foot trail at the toe of the slope should be removed during construction of the bio-swale, and the area returned to salt marsh.

Response A retaining wall would be installed to support a 12-foot-wide paved trail along the south side of the lagoon for bicycles and pedestrians. Fencing and other methods, as well as signage, would be used to keep bicycles on the approved trail and out of the reserve. A pedestrian trail would also be continued on the east side of the lagoon. This would eliminate the need for the existing trail at the toe of slope in this area and provide additional area for restoration. The impact area at the toe of the slope will be revegetated with salt marsh species. The bioswales will not be placed within the wetland.

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Brian Albright, Director
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Affected Environment, Consequences, and Avoidance, Minimization, and Mitigation Measures

Issues It was stated that the EIR/EIS be revised to include analysis of its relationship to various regional trails, including the California Coastal Trail, the Coast to Crest Trail, and the Trans County Trail. Mention was made that regulatory language citations may have been in error, that there were discrepancies in certain acreage impacts reported, and that there was a need for a map showing sensitive plant locations for the San Elijo Lagoon.

Response Project elements including various pedestrian and bicycle trail enhancements would be expected to improve the movement of users throughout the corridor, including those traveling a local, short distance and those traveling further, and is consistent with goals for the area. By facilitating improved pedestrian and bicycle movement along the project area, access to other local or regional trails is also enhanced whether or not these other trails are contiguous with trails along the I-5 corridor. This results from the reduction or elimination of non-contiguous segments that would otherwise force users onto surface streets, and thereby improves movement throughout the region. Regarding regulatory language, the code cited is an implementing code for the original codification at 23 USC 303, and is cited as part of the Caltrans template for CEQA/NEPA environmental documents. The refined 8+4 Buffer Alternative is identified in the FEIR/EIS as the Preferred Alternative, and the amount of impact is anticipated to be 0.18 acres, with the numbers in *Section 3.1.3* and Appendix A now matching. Additionally, a figure showing sensitive plant species on San Elijo Lagoon slopes was included as Figure 3.19.1, *Sensitive Plant Locations*, in the DEIR/EIS and is retained in the FEIR/EIS.

Appendix A – Resources Evaluated Relative to 4(f) . Section 4.2 San Elijo Lagoon Ecological Reserve

Issues The I-5 NCC project's trail improvements to the existing informal trail under the I-5 bridge would represent a more formal accommodation of this trail that connects with other trails on the berms running parallel to I-5 along the east and west sides, but this trail is not currently maintained by DPR and it was requested that Caltrans maintenance responsibility be specified. Also, it was stated that the City of Encinitas does not have jurisdiction in accordance with Section 774.17 23 USC 774, and that instead jurisdiction lies with the agencies that own or administer the property which is, in this case, the County of San Diego. It was stated that while it appeared mitigation measures might qualify the project for a *de minimis* finding, no replacement parkland had been proposed, DPR had not been consulted, and that DPR would like a meeting with Caltrans to discuss avoidance and mitigation measures in order to reassure the County that *de minimis* standards are met.

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Brian Albright, Director
August 1, 2013
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Response Maintenance for any trail within the San Elijo Conservancy including the pedestrian/bike bridge would be the responsibility of the DPR, City, or the SELC as part of a Maintenance Agreement reached prior to construction. Caltrans will continue to coordinate with agencies having jurisdiction over Section 4(f) properties in regards to impacts and to mitigation in order to help reduce or avoid them. The enhancements in this area would be expected to be neutral or even beneficial relative to existing conditions. Project footprint effects on habitat would be addressed through the project mitigation plan and associated Project Works Plan / Transportation and Resource Enhancement Program (PWP/TREP). Also, it should be noted that replacement parkland is not required under Section 4(f), though it may be a part of Section 6(f) analysis.

On April 3, 2013, Caltrans, on behalf of FHWA, met with CDFW, DPR, and SELC.

Since the project design is still in the preliminary phases, further coordination with the CDFW, DPR, and SELC will occur regarding the following:

- Continuing discussions on separation between pedestrians and bicyclists.
- Ensuring that access control coordination for signage and gates within the Reserve is continued. In particular, Solana Hills Drive and the NC Bike Trail.
- Continuing discussions in which existing trails should be tied into the bench trail under the south abutment.
- Continuing discussions to ensure trails and maintenance roads are open for use during construction.
- Working with all stakeholders on design details (fencing, retaining walls, signage, access, pavement surface, plants, and maintenance).
- Providing information on the cut and fill volumes associated with impacts to San Elijo triggered by Section 4(f).
- Continuing discussions regarding right-of-way exchange.

Furthermore, Caltrans acknowledges the CDFW, DPR, and SELC may identify other concerns besides those listed above. For that reason, Caltrans looks forward to continued coordination throughout the project lifecycle.

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Brian Albright, Director
August 1, 2013
Page 9

Caltrans is now requesting your written concurrence in this *de minimis* determination, as required under Section 4(f) (49 U.S.C. 303[d]; and 23 U.S.C. 138). A signature block is provided at the bottom of this letter for your convenience. If you have any questions, please contact Shay Lynn Harrison, Chief, Environmental Analysis, Branch C, at (619) 688-0190.

Sincerely,



BRUCE L. APRIL
Deputy District Director, Environmental

Enclosures

c: Shay Lynn M. Harrison, Chief, Environmental Analysis, Branch C

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Brian Albright, Director
August 1, 2013
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**County of San Diego, Parks and Recreation Concurrence with *De Minimis* Impact Finding
for San Elijo Lagoon Reserve**

The signature below represents written concurrence on the *de minimis* impact finding that the proposed Interstate 5 North Coast Corridor Project 8+4 Buffer Alternative would not adversely affect the activities, features, and attributes that qualify the property, San Elijo Lagoon, for protection under Section 4(f) within the County of San Diego.



Mr. Brian Albright
Director
Parks and Recreation, County of San Diego

9/10/13

DATE

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Figure 5-5.3 (cont.): County of San Diego Parks and Recreation Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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11-SD-5
 PM: R28.4 to R55.4
 EA: 235800 (1100000159)
 SCH#: 2004101076

Mr. Doug Gibson
 San Elijo Lagoon Conservancy
 2049 San Elijo Avenue
 Cardiff-by-the-Sea, CA 92007

Dear Mr. Gibson:

RE: San Elijo Lagoon Potential Impacts with I-5 NCC Project

The California Department of Transportation (Caltrans) District 11, on behalf of the Federal Highway Administration (FHWA), is seeking written concurrence for potential use of a portion of the San Elijo Lagoon Ecological Reserve within the City of Encinitas along Interstate 5 (I-5) that potential use of reserve land would not alter the functions of this ecological reserve.

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966 states that a policy of the United States Government is that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. These requirements are now codified at 49 U.S.C. § 303 and 23 U.S.C. § 138. FHWA and Caltrans have concluded that the San Elijo Lagoon warrants protection under Section 4(f) as it is a publicly accessed and publicly leased recreation area.

FHWA and Caltrans have prepared a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) and a Supplemental Draft Environmental Impact Report/Environmental Impact Statement (Supplemental Draft EIR/EIS) for the proposed I-5 North Coast Corridor Project (I-5 NCC Project). FHWA and Caltrans propose improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles (PM R28.4 to R55.4) along I-5. Impacts to San Elijo Lagoon were discussed in Appendix A: Resources Evaluated Relative to the Requirements of Section 4(f).

In July 2011, Caltrans identified the 8+4 Buffer Alternative (I-5 Express Lanes) as the Locally Preferred Alternative (LPA). The LPA consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a buffer from the existing four general purpose lanes in each direction.

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Figure 5-5.4: San Elijo Lagoon Conservancy Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Doug Gibson
August 6, 2013
Page 2

APPLICABILITY OF SECTION 4(f)

Section 4(f) allows the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, state or local significance; wildlife or waterfowl refuges; or lands from a historic site of national, state or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 U.S.C. 303[d]; 23 U.S.C. 138). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (this was included in the public comment period for the I-5 NCC Project Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must concur, in writing, with the finding of Caltrans and FHWA (in the case of parks, recreation areas, and wildlife and waterfowl refuges) that the project would not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]).

SAN ELIJO LAGOON ECOLOGICAL RESERVE

The San Elijo Lagoon Ecological Reserve is located within the cities of Encinitas and Solana Beach and extends inland to the community of Rancho Santa Fe. The Reserve is bordered by the Pacific Ocean to the west, and a mix of residential and undeveloped land to the east, north, and south. The entire Reserve is approximately 1,000 acres (ac) in size. It is primarily a shallow-water estuary fed by a 77-miles squared (mi²) watershed with two main tributaries, Escondido Creek and La Orilla Creek, and is divided into a west, central, and eastern basin by Highway 101, the railway, and I-5. It contains a diverse habitat with six plant communities including coastal strand, salt marsh, freshwater marsh, riparian scrub, coastal sage scrub, and mixed chaparral. The habitat supports a variety of plant and wildlife species.

The Reserve is owned jointly by the California Department of Fish and Wildlife (CDFW), the County of San Diego Department of Parks and Recreation (DPR) and the San Elijo Lagoon Conservancy (SELC). All three agencies have an agreement to operate San Elijo Lagoon as a State Ecological Reserve under the administration of the DPR. The boundary of the Reserve is contiguous with Caltrans right-of-way where I-5 separates the eastern and central basins. The Reserve includes over 8 km (7 mi) of hiking trails open to the public. These trails can be reached from the north end of Rios Avenue, Holmwood Lane, Solana Hills Drive, Santa Inez Drive, Santa Carina Drive, and Santa Helena Drive on the south side of the lagoon in Solana Beach, and along El Camino Real at La Orilla Creek in the community of Rancho Santa Fe at the east end.

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Figure 5-5.4 (cont.): San Elijo Lagoon Conservancy Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Doug Gibson
 August 6, 2013
 Page 3

The trails are designated for hiking-only in the Central Basin, and both equestrian and hiking in East Basin. The multi-use trail system is restricted to the East Basin, as the riprap slope protection under the I-5 bridge at Manchester Avenue prevents equestrian passage into the West Basin. A Nature Center, located at 2710 Manchester Avenue in Encinitas on the northwest side of the Reserve, provides county ranger offices, museum-quality exhibits, an observation deck, tables and chairs, a parking lot, restrooms, drinking water, and a 1 mile loop trail.

Visitor usage of the Reserve is estimated between 100,000 to 120,000 visitor use days per year (entry onto the Reserve is equal to one visitor use per day). The Nature Center visitor usage is approximately 55,000 to 65,000 visitor use days per year. Visitors are primarily residents of the surrounding neighborhoods, and jogging is popular along the southern trails. School field trips are held at the Nature Center as well as the Rios and Santa Carina trailheads. The park's status as a publicly owned ecological Reserve and recreation area qualifies the Reserve as a resource subject to protection under Section 4(f).

Impacts with 8+4 with Buffer Alternative (Locally Preferred Alternative)

Per the 2050 Regional Transportation Plan, implementation of the 8+4 with Buffer Alternative within the San Elijo Lagoon would occur between years 2015 to 2020. This phase includes the San Elijo bridge replacement, I-5 North Coast (NC) Bike Trail, and proposed Community Enhancement trails. See the enclosure. Permanent impacts from these improvements would use approximately 0.23 acres with 0.56 acres of temporary impacts for a temporary construction easement. At project completion, the temporary construction easement would re-establish the maintenance and pedestrian trail. The total area for use consists of degraded coastal sage scrub habitat, and is approximately 0.079% of the total Reserve area. Approximately 0.61 ac of this use would occur on property owned by the County of San Diego, while the remaining 0.18 ac would occur on property owned by the CDFW. See the enclosed figure. These minor land uses would not alter or affect any recreation activities at the lagoon. Coordination with the CDFW, DPR, and the SELC will continue to clarify the proposed use.

Proposed *De Minimis* Finding

Under any I-5 NCC Project alternative, the quantity of Reserve land proposed for use is extremely small at 0.79 acres. Access to existing trailheads and designated trails would remain open, and after project implementation would be enhanced. The visual character of the Reserve would not be measurably altered by the freeway widening. The existing noise levels in the Reserve range from 60 dBA to 67 dBA. With the project, future noise levels at the Reserve are projected to increase approximately 1 dBA from the existing noise levels. This 1 dBA increase would not be perceptible to the human ear. The increase in noise would not substantially

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Figure 5-5.4 (cont.): San Elijo Lagoon Conservancy Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

Mr. Doug Gibson
August 6, 2013
Page 4

increase the potential for noise to impact sensitive species. Therefore, increases in traffic-related noise would not be noticeable to park users and would not impair the wildlife habitat functions of the Reserve.

Areas of natural vegetation disturbed through construction would be restored with native plant species and mitigated at ratios agreed upon by the resource agencies as part of the overall mitigation plan for the proposed project. In recognition of the unique opportunities and value of comprehensive lagoon restoration activities for corridor lagoons, the mitigation plan called the Resource Enhancement Mitigation Program (REMP) includes large-scale lagoon ecosystem restoration and enhancement mitigation opportunities, which will result in significant ecological lift to the lagoon system. The mitigation opportunity includes potential funding for a large-scale lagoon restoration program in full for San Elijo Lagoon, which would be in addition to funds already contributed to previous and ongoing planning and technical evaluation activities necessary to facilitate and implement these lagoon restoration programs. Large-scale lagoon restoration in San Elijo Lagoon may include, but is not limited to, enhancement and restoration (both types) of wetland and other aquatic resources in the associated Lagoons. The intent of the large-scale lagoon restoration funding is to improve the ecological health and hydrological connectivity and to enhance critical coastal resources and habitats. The degraded upland coastal sage community located within the area for *de minimis* is currently included within the mitigation plan. The upland habitat would be mitigated outside of the lagoon at Dean and Deer Canyon mitigation sites.

Overall, it is expected that use of up to 0.23 acres for a permanent impact and 0.56 ac for a temporary construction easement of Reserve land would not adversely affect any of the activities, features, or attributes of the Reserve that qualify the resource for protection under Section 4(f) and is proposed as *de minimis*.

Coordination between Caltrans/FHWA and the San Elijo Lagoon Conservancy

In correspondence received from the SELC during the public comment period for the Draft Environmental Impact Report / Environmental Impact Statement for the Interstate 5 North Coast Corridor Project and the comment period for the Supplemental Draft Environmental Impact Report / Environmental Impact Statement for the Interstate 5 North Coast Corridor Project, the SELC did not protest regarding the *de minimis* findings made by Caltrans/FHWA.

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Figure 5-5.4 (cont.): San Elijo Lagoon Conservancy Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

Mr. Doug Gibson
August 6, 2013
Page 5

On April 3, 2013, Caltrans, on behalf of FHWA, met with CDFW, DPR, and SELC.

Since the project design is still in the preliminary phases, further coordination with the CDFW, DPR, and SELC will occur regarding the following:

- Continuing discussions on separation between pedestrians and bicyclists.
- Ensuring that access control coordination for signage and gates within the Reserve is continued. In particular, Solana Hills Drive and the NC Bike Trail.
- Continuing discussions in which existing trails should be tied into the bench trail under the south abutment.
- Continuing discussions to ensure trails and maintenance roads are open for use during construction.
- Working with all stakeholders on design details (fencing, retaining walls, signage, access, pavement surface, plants, and maintenance).
- Providing information on the cut and fill volumes associated with impacts to San Elijo triggered by Section 4(f).
- Continuing discussions regarding right-of-way exchange.

Furthermore, Caltrans acknowledges the CDFW, DPR, and SELC may identify other concerns besides those listed above. For that reason, Caltrans looks forward to continued coordination throughout the project lifecycle.

Caltrans is now requesting your written concurrence in this *de minimis* determination, as required under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). A signature block is provided at the bottom of this letter for your convenience. If you have any questions, please contact Shay Lynn Harrison, Chief, Environmental Analysis, Branch C, at (619) 688-0190.

Sincerely,



BRUCE L. APRIL
Deputy District Director, Environmental

Enclosure

c: Shay Lynn M. Harrison, Chief, Environmental Analysis, Branch C

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Figure 5-5.4 (cont.): San Elijo Lagoon Conservancy Concurrence on Section 4(f) De Minimis Finding for San Elijo Lagoon

San Elijo Lagoon Conservancy Concurrence with *De Minimis* Impact Finding for San Elijo Lagoon Reserve

The signature below represents written concurrence on the *de minimis* impact finding that the proposed Interstate 5 North Coast Corridor Project 8+4 Buffer Alternative would not adversely affect the activities, features, and attributes that qualify the property, San Elijo Lagoon, for protection under Section 4(f) within the City of Encinitas.


Mr. Doug Gibson
Executive Director and Principal Scientist
San Elijo Lagoon Conservancy

8-12-2013
DATE

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Figure 5-5.4 (cont.): San Elijo Lagoon Conservancy Concurrence on Section 4(f) *De Minimis* Finding for San Elijo Lagoon

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

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April 30, 2013

11-SD-5
 PM: R28.4 to R55.4
 EA: 235800 (1100000159)
 SCH#: 2004101076

Mr. Skip Hammann
 Public Works Director
 City of Carlsbad
 1635 Faraday Avenue
 Carlsbad, CA 92008

Dear Mr. Hammann:

RE: Agua Hedionda Lagoon Potential Impacts with I-5 NCC Project

The California Department of Transportation (Caltrans) District 11 on behalf of the Federal Highway Administration (FHWA) is seeking written concurrence for potential use of a portion of Agua Hedionda Lagoon within the City of Carlsbad along Interstate 5 (I-5), that potential use of park land would not alter the functions of this recreational facility.

Section 4(f) of the United States Department of Transportation (USDOT) Act of 1966 states that a policy of the United States Government is that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. FHWA and Caltrans have concluded that the Agua Hedionda Lagoon warrants protection under Section 4(f) as it is a publicly accessed and publicly leased recreation area.

FHWA and Caltrans have prepared a Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) and a Supplemental Draft Environmental Impact Report/Environmental Impact Statement (Supplemental Draft EIR/EIS) for the proposed I-5 North Coast Corridor Project (I-5 NCC Project). FHWA and Caltrans propose improvements to maintain or improve the existing and future traffic operations on the existing I-5 freeway from La Jolla Village Drive in San Diego to Harbor Drive in Oceanside/Camp Pendleton, extending approximately 27 miles (PM R28.4 to R55.4) along I-5. Impacts to Agua Hedionda Lagoon were discussed in Appendix A: Resources Evaluated Relative to the Requirements of Section 4(f).

In July 2011, Caltrans identified the 8+4 Buffer Alternative (I-5 Express Lanes) as the Locally Preferred Alternative (LPA). The LPA consists of two high-occupancy vehicle (HOV)/Managed Lanes in each direction, separated by a buffer from the existing four general purpose lanes in each direction.

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Figure 5-5.5: City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

Mr. Skip Hammann
April 30, 2013
Page 2

APPLICABILITY OF SECTION 4(f)

Section 4(f) legislation allows the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, state or local significance; wildlife or waterfowl refuges; or lands from a historic site of national, state or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (this was included in the public comment period for the I-5 NCC Project Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must concur, in writing, with the finding of Caltrans and FHWA in the case of parks, recreation areas, and wildlife and waterfowl refuges, that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]).

DESCRIPTION OF AGUA HEDIONDA LAGOON WITHIN THE PROJECT BOUNDARY

Agua Hedionda Lagoon, located in Carlsbad, is an approximately 162-ha (400-ac), man-made water body that was constructed in 1954. Agua Hedionda Lagoon, as shown in Figure 15, is surrounded by the Pacific Ocean to the west, undeveloped land to the east, the Encina Power Plant to the south, and residential development to the north. Agua Hedionda Lagoon is connected to the Pacific Ocean through an inlet channel, and to Agua Hedionda Creek and its tributaries in the inner lagoon.

Agua Hedionda Lagoon is owned by Cabrillo Power II, a privately owned corporation, who leases the lagoon to the City of Carlsbad to manage recreational and commercial uses. This long-term lease began in 1957, and is to be renewed every ten years. This agreement turns over operation of the lagoon to the City of Carlsbad, which makes the resource subject to Section 4(f) protection. The City of Carlsbad allows boating and water skiing on the lagoon, and the YMCA operates a canoeing center. A white seabass research facility, jointly managed by Hubbs/Seaworld and California Department of Fish and Wildlife (CDFW), is located at the lagoon, as is a commercial mussel-growing facility. These recreational, research, and commercial activities would not be impacted during construction of the proposed project.

CDFW manages a 75-ha (186-ac) Ecological Reserve consisting of wetlands located at the eastern end of the lagoon (see Figure 15). This Ecological Reserve is owned by the State of California; however, this Ecological Reserve is located approximately 914 m (3,000 ft.) east of the proposed project. Implementation of the proposed project would not require use of any land within the Agua Hedionda Lagoon CDFW Reserve.

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Figure 5-5.5 (cont.): City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

Mr. Skip Hammann
April 30, 2013
Page 3

Impacts with 8+4 with Buffer Alternative (Locally Preferred Alternative)

Per the 2050 Regional Transportation Plan, implementation of the 8+4 with Buffer Alternative north of Palomar Airport Road would occur between years 2030 to 2035. This phase includes the Agua Hedionda bridge replacement and I-5 North Coast (NC) Bike Trail. Permanent impacts from these improvements would use approximately 0.64 ha (1.59 ac) with 0.001 ha (.02 ac) for a temporary construction easement. The temporary construction easement enables improvements that avoid further use of the lagoon. The area for use would be of open water and undeveloped land leased to the City of Carlsbad, which is approximately 1.1% of the total area of Agua Hedionda Lagoon. These minor land uses would not alter or affect any recreation activities at the lagoon. Coordination with the City will continue to clarify the proposed use of the lagoon and adjacent areas by the proposed project.

Proposed *De Minimis* Finding

Implementation of the proposed project would not impede the ability of the lagoon recreation for boating, water skiing, and canoeing. Public and private access to the lagoon would not be affected. The proposed project would not interfere with existing or planned trails and instead provides an opportunity to enhance and connect with them. The visual character of the lagoon would not be adversely changed; the use of small amounts of City leasehold land would simply extend the Caltrans right-of-way boundary outward slightly, and would ultimately result in a view of the area adjacent to I-5 as similar to the existing condition. Increases in noise levels would not be noticeable to lagoon users. With the project, future noise levels at the lagoon are projected to increase approximately 2 dBA over a majority of the lagoon. This 2 dBA increase would not be perceptible to the human ear. The increase also would not substantially increase the potential for noise to impact sensitive species.

Areas of natural vegetation disturbed through construction would be restored with native plant species and mitigated at ratios agreed upon by the resource agencies as part of the overall mitigation plan for the proposed project.

Overall, it is expected that use of 0.64 ha (1.59 ac) with 0.001 ha (.02 ac) for a temporary construction easement of the lagoon would not adversely affect any of the activities, features, or attributes of the publicly owned regional open space park that qualify the resource for protection under Section 4(f), and is proposed as *de minimis*.

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Figure 5-5.5 (cont.): City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

Mr. Skip Hammann
April 30, 2013
Page 4

Coordination between Caltrans/FHWA and the City of Carlsbad

In the City of Carlsbad comment letters dated November 22, 2010 and October 12, 2012 on the Draft EIR/EIS and Supplemental Draft EIR/EIS (respectively), the City commented on the trails for Agua Hedionda Lagoon and stated that east/west crossing at both bridge abutments are critical for connectivity for trails, including the Coastal Rail Trail. Caltrans will incorporate “Potential Future Pedestrian/Bike Trail and Wildlife Benches” next to the north and south abutments of the Agua Hedionda bridge. Caltrans on behalf of FHWA is continuing the coordination with the City of Carlsbad. Caltrans and the City met on February 15, 2013, and had a teleconference on March 28, 2013.

Since the project design is still in the preliminary phases, further coordination with the City of Carlsbad will occur regarding the following:

- Visual changes resulting from implementation of the LPA, including the Agua Hedionda bridge replacement, I-5 NC Bike Trail, and the proposed retaining wall for this bike trail.
- How the I-5 NC Bike Trail would connect with the planned east-west trails under and east of I-5 to enable travel between inland areas and the beach.
- How to best design the LPA, including the Agua Hedionda bridge replacement and the I-5 NC Bike Trail, to avoid and/or reduce impacts to the Foxes lift station.
- How to best enhance the nearby recreation uses and public use of the lagoon and trails.
- Consideration of pets on proposed lagoon trails.

Furthermore, Caltrans acknowledges the City may identify other concerns besides those listed above, particularly since construction of the LPA in the vicinity of the lagoon is not scheduled until 2030 at the earliest. For that reason, Caltrans agrees to continue its coordination efforts with the City into the future.

Caltrans is now requesting your written concurrence in this *de minimis* determination, as required under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). A signature block is provided at the bottom of this letter for your convenience. If you have any questions, please contact Shay Lynn Harrison, Chief, Environmental Analysis, Branch C, at (619) 688-0190.

Sincerely,



BRUCE L. APRIL
Deputy District Director, Environmental

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Figure 5-5.5 (cont.): City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

Mr. Skip Hammann
April 30, 2013
Page 5

Enclosure

c: Shay Lynn Harrison, Chief, Environmental Analysis, Branch C

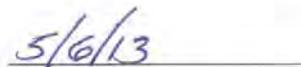
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Figure 5-5.5 (cont.): City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

City of Carlsbad Concurrence with *De Minimis* Impact Finding for Agua Hedionda Lagoon

The signature below represents written concurrence on the *de minimis* impact finding that the proposed Interstate 5 North Coast Corridor Project 8+4 Buffer Alternative would not adversely affect the activities, features, and attributes that qualify the property, Agua Hedionda Lagoon, for protection under Section 4(f) within the City of Carlsbad.


Mr. Skip Hammann
Public Works Director
City of Carlsbad


DATE

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Figure 5-5.5 (cont.): City of Carlsbad Concurrence on Section 4(f) *De Minimis* Finding for Agua Hedionda Lagoon

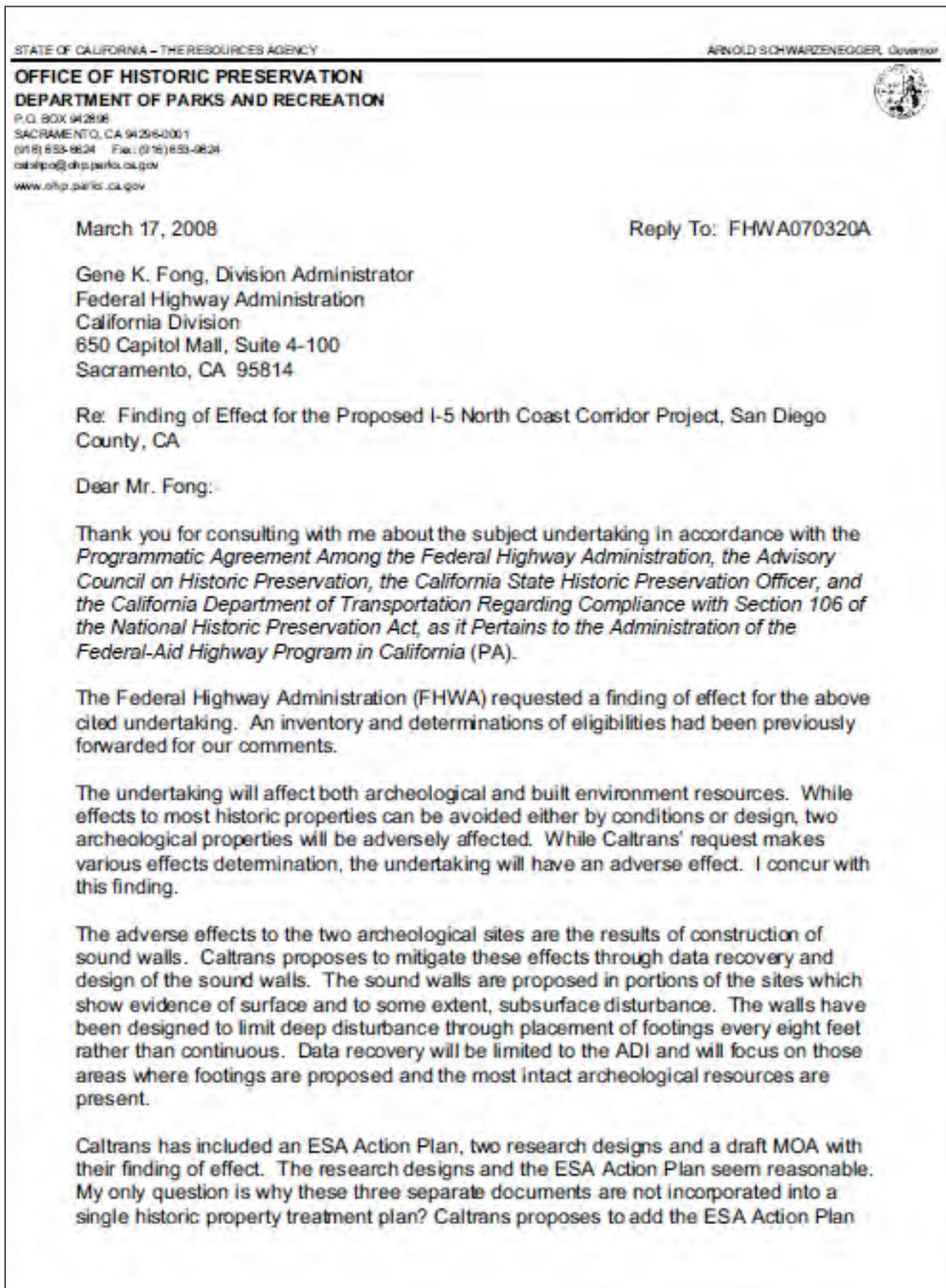


Figure 5-5.6: SHPO Coordination

Mr. Fong
March 17, 2008
Page 2 of 2

as a construction stipulation, but for the purposes of the MOA, it would be cleaner and simpler to incorporate all of these documents into a single plan.

The MOA would benefit from three major changes. First, does FHWA plan to participate in this MOA or should it be formatted for Caltrans to participate as the Agency Official? If the latter is the case, the MOA should include reference to the MOU delegating Caltrans such authority. Second, as noted above, by incorporating the two research designs and ESA Action Plan into a single Historic Property Treatment Plan would make the MOA much simpler. The HPTP could become an appendix to the MOA and the citation could provide for changes to the plan without amending the MOA. Reference to treatment of individual properties would be added to the plan and not called out in the MOA. Finally, the MOA should use standard administrative stipulations which are found in most of OHPs MOAs and PAs rather than the ones proposed. Other editorial changes are necessary such as Caltrans agreeing to implement the stipulations of the agreement document.

In summary, given the limited nature of the adverse effects, the proposed treatment of historic properties is reasonable.

Thank you for considering historic properties as part of your project planning. If you have any questions, please contact Dwight Dutschke of my staff at your earliest convenience at (916) 653-9134 or e-mail at ddutschke@parks.ca.gov or Natalie Lindquist at (916) 654-0631 or e-mail at nlindquist@parks.ca.gov.

Sincerely,

Lucas K. Shattler for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

Figure 5-5.6 (cont.): SHPO Coordination



Figure 5-5.7: SHPO Coordination on Biological Mitigation Parcels

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
 4050 TAYLOR STREET, M.S. 242
 SAN DIEGO, CA 92110
 PHONE (619) 688-0240
 FAX (619) 688-4237
 TTY 711
 www.dot.ca.gov



*Flex your power!
 Be energy efficient!*

July 1, 2013

Manuel Sanchez
 Federal Highway Administration
 California Division
 650 Capitol Mall, Suite 4-100
 Sacramento, CA 95814

File: 11-SD-5
 PM: R28.397 / R55.4
 EA: 235800

Dear Mr. Sanchez:

Subject: Fifth and Sixth Supplemental Historic Property Survey Reports (HPSR) Submitted Pursuant to the Section 106 PA; Revised Finding of Effect for the I-5 North Coast Corridor Project, Submitted Pursuant to Stipulation X.B.1.a of the Section 106 PA

The California Department of Transportation (Caltrans) is notifying the Federal Highway Administration (FHWA) of APE revisions for the I-5 NCC, requesting for FHWA review and concurrence with the Finding of No Adverse Effect (FNAE), and requesting FHWA consult with SHPO regarding the project's affects on historic properties. The I-5 NCC has been exempted from delegation, and therefore, is not subject to the *Memorandum of Understanding* between FHWA and Caltrans concerning the State of California's Participation in the MAP 21 Program. As such, the enclosed FNAE is being transmitted to FHWA in accordance with Stipulation X.B.1.a of the Section 106 Programmatic Agreement (PA), which became effective on January 1, 2004. Under the PA, Caltrans is responsible for ensuring the appropriateness of the APE (Stipulation VIII.A), the adequacy of historic property identification efforts (Stipulation VIII.B), and evaluation of historic properties (Stipulation VIII.C). All of the above efforts culminated in the avoidance of adverse effects as resources were identified.

The I-5 NCC is located in the central coastal area of San Diego County, between PM 28.397 and 54.4 along Interstate 5, and PM 27.312 and 28.8 along Interstate 805. The proposed project will widen Interstate 5 to add High Occupancy Vehicle (HOV), General Purpose, and Auxiliary Lanes (see the 2007 HPSR for more details). Previous cultural resource reports for this project include the 2007 HPSR, five Supplemental HPSRS (2008-2010), and several technical studies.

In the Fifth Supplemental HPSR, Caltrans changed the effect finding at site CA-SDI-7296. The finding warranted re-evaluation, per Stipulation VIII.C.4, since the previous justification was based on an error of fact. Caltrans has changed the effect finding from No Adverse Effect with Standard Conditions-ESA to No Historic Properties Affected since CA-SDI-7296 was determined ineligible to the NRHP, so by definition is not a historic property according to Stipulation II. CA-SDI-7296

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Figure 5-5.8: Caltrans Letter to FHWA Regarding APE Revisions

Mr. Sanchez
July 1, 2013
Page 2

had been established as an ESA in the 2008 Second Supplemental HPSR on the incorrect notion that the eastern portion of the site had not been tested. This Fifth Supplemental HPSR has been transmitted for your records.

In accordance with Attachment 3 of the PA, Caltrans PQS modified the APE to capture the design revisions of this undertaking. The Sixth Supplemental HPSR unifies the entire I-5 NCC under a single APE: updating the original APE (2007) by adding the Biological Mitigation Projects (2008-2010) and new areas shaped by project redesign (2013), but removing archaeological site CA-SDI-17928 and built environment resource 510-514 La Costa Avenue which have been avoided through project redesign. The APE was also modified to incorporate the entire ESA site boundaries of CA-SDI-17672 and CA-SDI-17907 which were mistakenly not included in the 2007 APE. The sites listed above and the archaeological sites related to the supplemental APE are the only cultural resources represented in the APE map (Exhibit 3 in the HPSR). No resources were identified within the Supplemental APE and a Finding of No Historic Properties Affected, per Stipulation IX.A, is appropriate. This Sixth Supplemental HPSR has been transmitted for your records.

The 2013 FNAE documents the effect finding change for the project as a whole that has transpired with project redesign. Caltrans will no longer build the proposed soundwalls (SW723 and SW729) to the north and south of the Batiquitos Lagoon in Carlsbad, San Diego County. All effects to sites CA-SDI-12670 and CA-SDI-17928 will be avoided as a result of this change. As previously determined, this undertaking will not cause an adverse effect to the built environment historic property located at 767 Orpheus Avenue, since the sliver takes required for this project would not affect any of the qualities that make this property significant. This 2013 FNAE reiterates the argument presented in 2007 Finding of Effect regarding the 767 Orpheus Avenue property. All other resources within the APE are protected by Environmentally Sensitive Area designations. As previously determined and pursuant to Stipulation X.B.2.a(ii), Caltrans is assuming that the following archaeological sites are eligible for the purposes of this undertaking only: CA-SDI-209; CA-SDI-603; CA-SDI-607; CA-SDI-628; CA-SDI-762; CA-SDI-6849; CA-SDI-10965; CA-SDI-12670; CA-SDI-16637; CA-SDI-16638H; CA-SDI-16639; CA-SDI-17672; CA-SDI-17907H; CA-SDI-17960; CA-SDI-18917. Environmentally Sensitive Area (ESA) designations will be delineated at and around these sites and the 2013 ESA Action Plan (which updated the 2007 ESA Action Plan submitted to FHWA and SHPO on December 4, 2007 and approved by SHPO on March 17, 2008) will be enacted to ensure that the project will avoid these resources. Caltrans will now avoid all adverse effects to historic properties (properties that were previously impacted and adversely affected are now avoided). As such, the 2007 draft Memorandum of Agreement and 2007 Cultural Resources Treatment Plan are no longer required for this undertaking.

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Figure 5-5.8 (cont.): Caltrans Letter to FHWA Regarding APE Revisions

Mr. Sanchez
 July 1, 2013
 Page 3

FINDING	RESOURCE
NO ADVERSE EFFECT (Without Standard Conditions) - <i>De minimis</i> finding under Section 4(f)	767 Orpheus Avenue
NO ADVERSE EFFECT (with Standard Conditions-ESA)	CA-SDI-209
	CA-SDI-603
	CA-SDI-607
	CA-SDI-628
	CA-SDI-762
	CA-SDI-6849
	CA-SDI-10965
	CA-SDI-12670
	CA-SDI-16637
	CA-SDI-16638H
	CA-SDI-16639
	CA-SDI-17672
	CA-SDI-17907H
	CA-SDI-17960
CA-SDI-18917	

Lastly, Caltrans is also informing the SHPO that this notification will be treated as the SHPO’s concurrence for this project’s Section 4(f) *de minimis* determination.

The enclosed FNAE documents Caltrans’ Section 106 responsibilities. Caltrans hereby notifies FHWA that these findings are in accordance with Stipulation X.B.1.a of the PA and requests FHWA to consult with SHPO regarding the project’s effects on historic properties in the APE. If you have any questions or comments, please contact me at (619) 688-0240 or kevin_hovey@dot.ca.gov.

Sincerely,


KEVIN HOVEY, Chief
 Environmental Analysis, Branch D
 Cultural Resource Studies— Local Assistance Liaison

Enclosures (3)
 c: Shay Lynn Harrison, Chief of Environmental Analysis, Branch C, Caltrans District 11
 K. Tsunoda, Heritage Resources Coordinator/Cultural Library, Caltrans District 11
 T. Jaffke, 106 Coordinator, Caltrans Headquarters
 South Coast Information Center (SCIC)-SDSU
“Caltrans improves mobility across California”

Figure 5-5.8 (cont.): Caltrans Letter to FHWA Regarding APE Revisions



U.S. Department
of Transportation
**Federal Highway
Administration**

California Division

July 12, 2013

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

In Reply Refer To:
HDA-CA

Dr. Carol Roland-Nawi
State Historic Preservation Officer (SHPO)
Office of Historic Preservation
1725 23rd Street, Suite 100
Sacramento, CA 95816

Attn: Ms. Susan Stratton

Dear Dr. Roland-Nawi:

The Federal Highway Administration (FHWA) is notifying the State Historic Preservation Officer (SHPO) of Area of Potential Effect (APE) revisions for the Interstate 5 North Coast Corridor (I-5 NCC) project and requesting SHPO's concurrence with the Finding of No Adverse Effect (FNAE). The I-5 NCC project has been retained by FHWA. As such, the enclosed FNAE is being transmitted to SHPO in accordance with Stipulation X.B.1.a of the Section 106 Programmatic Agreement (PA), which became effective on January 1, 2004.

The I-5 NCC project is located in the central coastal area of San Diego County, between PM 28.397 and 54.4 along Interstate 5, and PM 27.312 and 28.8 along Interstate 805. The proposed project will widen Interstate 5 to add High Occupancy Vehicle, General Purpose, and Auxiliary Lanes (see the 2007 Historic Property Survey Report (HPSR) for more details). Previous cultural resource reports for this project include the 2007 HPSR, five Supplemental HPSRs (2008-2010), and several technical studies.

In the Fifth Supplemental HPSR, Caltrans changed the effect finding at site CA-SDI-7296. The finding warranted re-evaluation, per Stipulation VIII.C.4, since the previous justification was based on an error of fact. Caltrans has changed the effect finding from No Adverse Effect with Standard Conditions-Environmentally Sensitive Area (ESA) to No Historic Properties Affected since CA-SDI-7296 was determined to be ineligible for listing on the National Register of Historic Places; so, by definition it is not a historic property in accordance with Stipulation II. CA-SDI-7296 had been established as an ESA in the 2008 Second Supplemental HPSR on the incorrect notion that the eastern portion of the site had not been tested. This Fifth Supplemental HPSR has been transmitted for your records.

In accordance with Attachment 3 of the PA, Caltrans Professionally Qualified Staff modified the APE to capture the design revisions of this undertaking. The Sixth Supplemental HPSR unifies the entire I-5 NCC under a single APE; updates the original APE (2007) by adding the Biological Mitigation Projects (2008-2010); and incorporates new areas shaped by project redesign (2013). In addition, it removes archaeological site CA-SDI-17928 and built-environment resource 510-514 La Costa Avenue which have been avoided through project redesign. The APE was also modified to incorporate the entire ESA site boundaries of CA-SDI-17672 and CA-SDI-17907 which were mistakenly not included in the 2007 APE. The sites listed above and the archaeological sites related to the supplemental APE are the only cultural resources represented in the APE map (Exhibit 3 in the HPSR). No resources were identified within the Supplemental APE and a Finding of No Historic Properties Affected, per Stipulation IX.A, is appropriate. This Sixth Supplemental HPSR has been transmitted for your records.

Figure 5.5-9: FHWA Letter to SHPO Regarding APE Revisions

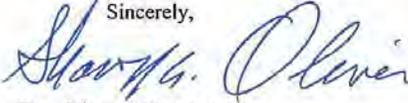
The 2013 FNAE documents the effect finding change for the project as a whole that has transpired with project redesign. Caltrans will no longer build the proposed soundwalls (SW723 and SW729) to the north and south of the Batiqitos Lagoon in Carlsbad, San Diego County. All effects to sites CA-SDI-12670 and CA-SDI-17928 will be avoided as a result of this change. As previously determined, this undertaking will not cause an adverse effect to the built-environment historic property located at 767 Orpheus Avenue, since the sliver-takes required for this project would not affect any of the qualities that make this property significant. This 2013 FNAE reiterates the argument presented in 2007 Finding of Effect regarding the 767 Orpheus Avenue property. All other resources within the APE are protected by ESA designations. As previously determined and pursuant to Stipulation X.B.2.a(ii), FHWA and Caltrans have determined that the following archaeological sites are eligible for the purposes of this undertaking only: CA-SDI-209; CA-SDI-603; CA-SDI-607; CA-SDI-628; CA-SDI-762; CA-SDI-6849; CA-SDI-10965; CA-SDI-12670; CA-SDI-16637; CA-SDI-16638H; CA-SDI-16639; CA-SDI-17672; CA-SDI-17907H; CA-SDI-17960; CA-SDI-18917. ESA designations will be delineated at and around these sites and the 2013 ESA Action Plan (which updated the 2007 ESA Action Plan submitted to FHWA and SHPO on December 4, 2007 and approved by SHPO on March 17, 2008) will be enacted to ensure that the project will avoid these resources. Caltrans will now avoid all adverse effects to historic properties (properties that were previously impacted and adversely affected are now avoided). As such, the 2007 draft Memorandum of Agreement and 2007 Cultural Resources Treatment Plan are no longer required for this undertaking.

FINDING	RESOURCE
NO ADVERSE EFFECT (Without Standard Conditions) - <i>De minimis</i> finding under Section 4(f)	767 Orpheus Avenue
NO ADVERSE EFFECT (with Standard Conditions-ESA)	CA-SDI-209
	CA-SDI-603
	CA-SDI-607
	CA-SDI-628
	CA-SDI-762
	CA-SDI-6849
	CA-SDI-10965
	CA-SDI-12670
	CA-SDI-16637
	CA-SDI-16638H
	CA-SDI-16639
	CA-SDI-17672
	CA-SDI-17907H
CA-SDI-17960	
CA-SDI-18917	

Lastly, FHWA is also informing the SHPO that a Section 4(f) *de minimis* determination is being made for the historic property located at 767 Orpheus Avenue.

The enclosed FNAE documents FHWA's Section 106 efforts and responsibilities. FHWA has determined these findings are in accordance with Stipulation X.B.1.a of the PA and requests SHPO to concur with the project's effects on historic properties in the APE. If you have any questions or comments, please contact Larry Vinzant at (916) 498-5040, email larry.vinzant@dot.gov or Shawn Oliver at (916) 498-5048, email shawn.oliver@dot.gov.

Figure 5.5-9 (cont.): FHWA Letter to SHPO Regarding APE Revisions

Sincerely,

For: Vincent Mammano
Division Administrator

Enclosures

Copy Furnished (w/o enclosure):

Michelle Blake, Caltrans D-11
Kevin Hovey, Caltrans D-11
Shay Lynn Harrison, Caltrans D-11
Todd Jaffke, Caltrans HQ
Manuel Sanchez
Chris Newman
Shawn Oliver
Larry Vinzant
Jermaine Hannon

Figure 5.5-9 (cont.): FHWA Letter to SHPO Regarding APE Revisions

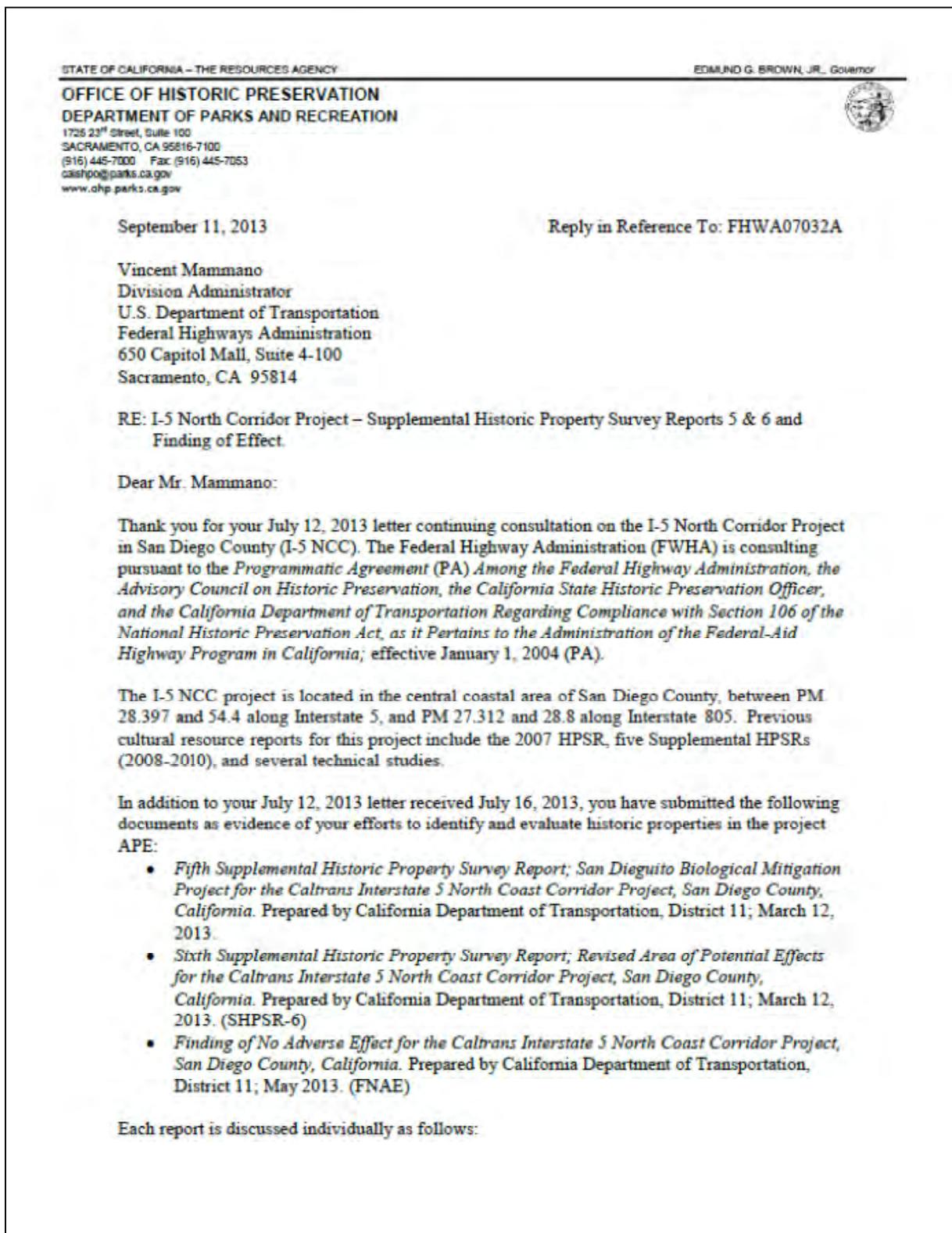


Figure 5-5.10: SHPO Concurrence on Finding of No Adverse Effect

11 September 2013
 Page 2 of 4

FHWA07032A

Fifth Supplemental Historic Property Survey Report: San Dieguito Biological Mitigation Project (SHPSR-5):

The mitigation project area consists of one twenty-two acre parcel (APN-304-090-02) proposed to serve as a biological mitigation parcel for the project. It is planned to plant a variety of native Coastal Sage Scrub species in the Fall of 2013. The Area of Potential Effects (APE) for this SHPSR-5 consists of the parcel boundaries, within which non-native vegetation will be removed and sage seedlings will be planted in hand excavated 20 cm deep X 30 cm diameter holes; denoting the vertical APE.

The records search conducted for the original HPSR at the South Coastal Information Center was updated in November of 2012. CA-SDI-7296 and P-37-029577 have been recorded within the project APE. Site P-37-029577 has been determined Property Type 1 of Attachment 4 of the PA and is exempt from evaluation. The boundaries of site CA-SDI-7296, originally recorded in 1979, have changed several times over the years as new information came to light. In 2001, Caltrans conducted subsurface testing of the site and determined the site ineligible to the National Register of Historic Places (NRHP) to which the SHPO concurred on January 31, 2003. Subsequent testing of the site for the current project in 2007 confirmed these findings. In 2008 a Second SHPSR proposed changing the effect finding from No Adverse Effect with Standard Conditions- Environmentally Sensitive Area (ESA) based on erroneous information that the eastern portion of the site had not been tested and was unevaluated. Caltrans consulted with the SHPO but did not ask for consensus at that time. SHPSR-5 documents the discovery of that error and requests that the determination of CA-SDI-7296 as ineligible to the NRHP established on January 31, 2003 remain the official determination.

Sixth Supplemental Historic Property Survey Report: Revised APE (SHPSR-6):

The APE for the I-5 NCC project was approved on December 20, 2006. Design changes including the avoidance of one archaeological and one built environment resource and the addition of a biological mitigation site, resulted in refined design plans for the Final Environmental Document in December 2012. In accordance with Attachment 3 of the PA, Caltrans Professionally Qualified Staff modified the APE to capture the design revisions of this undertaking. The Sixth Supplemental HPSR unifies the entire I-5 NCC under a single APE; updates the original APE (2007) by adding the Biological Mitigation Projects (2008-2010); and incorporates new areas shaped by project redesign (2013). In addition, it removes archaeological site CA-SDI-17928 and built-environment resources 510-514 La Costa Avenue and 636 Leucadia Blvd; which have been avoided through project redesign. The APE was also modified to incorporate the entire ESA site boundaries of CA-SDI-17672 and CA-SDI-17907 which were mistakenly not included in the 2007 APE.

The changes in the APE encompassed new areas not covered in previous archaeological studies. The November 2012 record search at the South Coastal Information Center and Caltrans Cultural Resource Database were conducted on January 10, 2013. Nine previously recorded cultural resources were within the study area. Intensive pedestrian surface survey, utilizing 10 meter wide transects was conducted in January, 2013 of the study area and attempts made to relocate the nine previously recorded sites. None remained within the APE for the project. No new

Figure 5-5.10 (cont.): SHPO Concurrence on Finding of No Adverse Effect

11 September 2013
 Page 3 of 4

FHWA07032A

cultural resources were identified. Native American consultation is ongoing.

FHWA is seeking concurrence that the revised APE is sufficient for the project and that additional archaeological study required by changes in the APE and documented in the *Fourth Supplemental Archaeological Survey Report* (SHPSR-6; Attachment 1) is sufficient.

Finding of No Adverse Effect Document

The I-5 NCC project has undergone significant changes since the initial 2007 Historic Property Survey Report (HPSR). The May 2013 Finding of Effects (FOE) report updates the 2007 with which the SHPO concurred with March 17, 2008. Contrary to the 2007 FOE, the current project will no longer have adverse effects to NRHP eligible cultural resources. FHWA is requesting SHPO concurrence on a Finding of No Adverse Effect for the project as a whole. The following resources lie within the APE and have been assumed eligible to the NRHP for purposes of the project. FHWA has determined there will be No Adverse Effect to these resources with Standard Conditions – ESA Action Plan (approved by SHPO on March 17, 2008): CA-SDI-209; CA-SDI-603; CA-SDI-607; CA-SDI-628; CA-SDI-762; CA-SDI-6849; CA-SDI-10965; CA-SDI-12670; CA-SDI-16637; CA-SDI-16638H; CA-SDI-16639; CA-SDI-17672; CA-SDI-17907H; CA-SDI-17960; CA-SDI-18917. These sites will receive archaeological and Native American monitoring during construction.

National Register of Historic Places eligible property located at 676 Orpheus Avenue also lies within the APE of the project. An area of 314 square meters will be taken from the 4,000 square meter property. FHWA has determined this sliver take will have No Adverse Effect to the property. In addition, FHWA has determined a *de-minimis* finding under Section 4(f).

Pursuant to the PA, the FHWA has determined a finding of No Adverse Effects for the proposed project. Based on your identification efforts, I concur with the findings as listed in the table below:

RESOURCE	DETERMINATION
P-37-029577	Property Type 1 of Attachment 4 of the PA and is exempt from evaluation.
CA-SDI-7296	Ineligible to the NRHP based on January 31, 2003 determination.
Revised APE	The revised APE is sufficient.
SHPSR-6 Att 1	The supplemental archaeological studies are sufficient.
767 Orpheus Avenue	NO ADVERSE EFFECT (Without Standard Conditions) <i>-De minimis finding under Section 4(f)</i>
The following sites assumed eligible to the NRHP for purposes of this project.	
CA-SDI-209	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-603	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-607	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-628	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-762	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-6849	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-10965	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-12670	NO ADVERSE EFFECT (with Standard Conditions-ESA)

Figure 5-5.10 (cont.): SHPO Concurrence on Finding of No Adverse Effect

11 September 2013
 Page 4 of 4

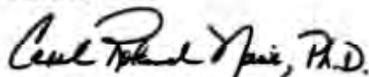
FHWA07032A

CA-SDI-16637	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-16638H	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-16639	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-17672	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-17907H	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-17960	NO ADVERSE EFFECT (with Standard Conditions-ESA)
CA-SDI-18917	NO ADVERSE EFFECT (with Standard Conditions-ESA)

Please note: On page three of the SHPSR-5 the report states "...the SHPO never objected to this determination, and Caltrans assumed SHPO concurrence." Non-response from the SHPO allows an agency to continue with their undertaking after the 30 day comment period is over. It does not denote SHPO concurrence.

Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, FHWA may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact Associate State Archaeologist, Kim Tanksley at (916) 445-7035 or by email at kim.tanksley@parks.ca.gov.

Sincerely,



Carol Roland-Nawi, PhD
 State Historic Preservation Officer

Figure 5-5.10 (cont.): SHPO Concurrence on Finding of No Adverse Effect

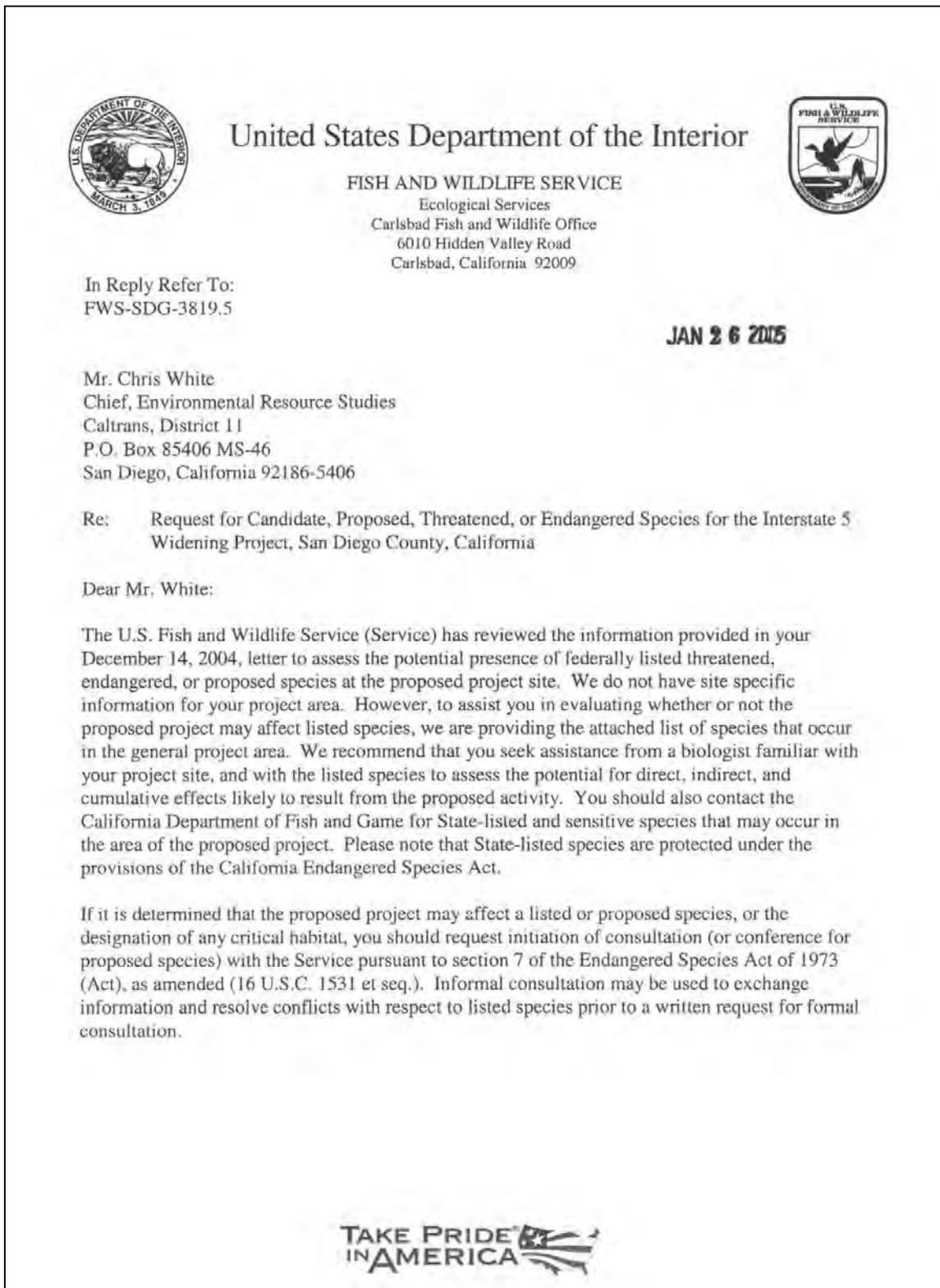


Figure 5-5.11: USFWS Listed Endangered, Threatened, and Proposed Species

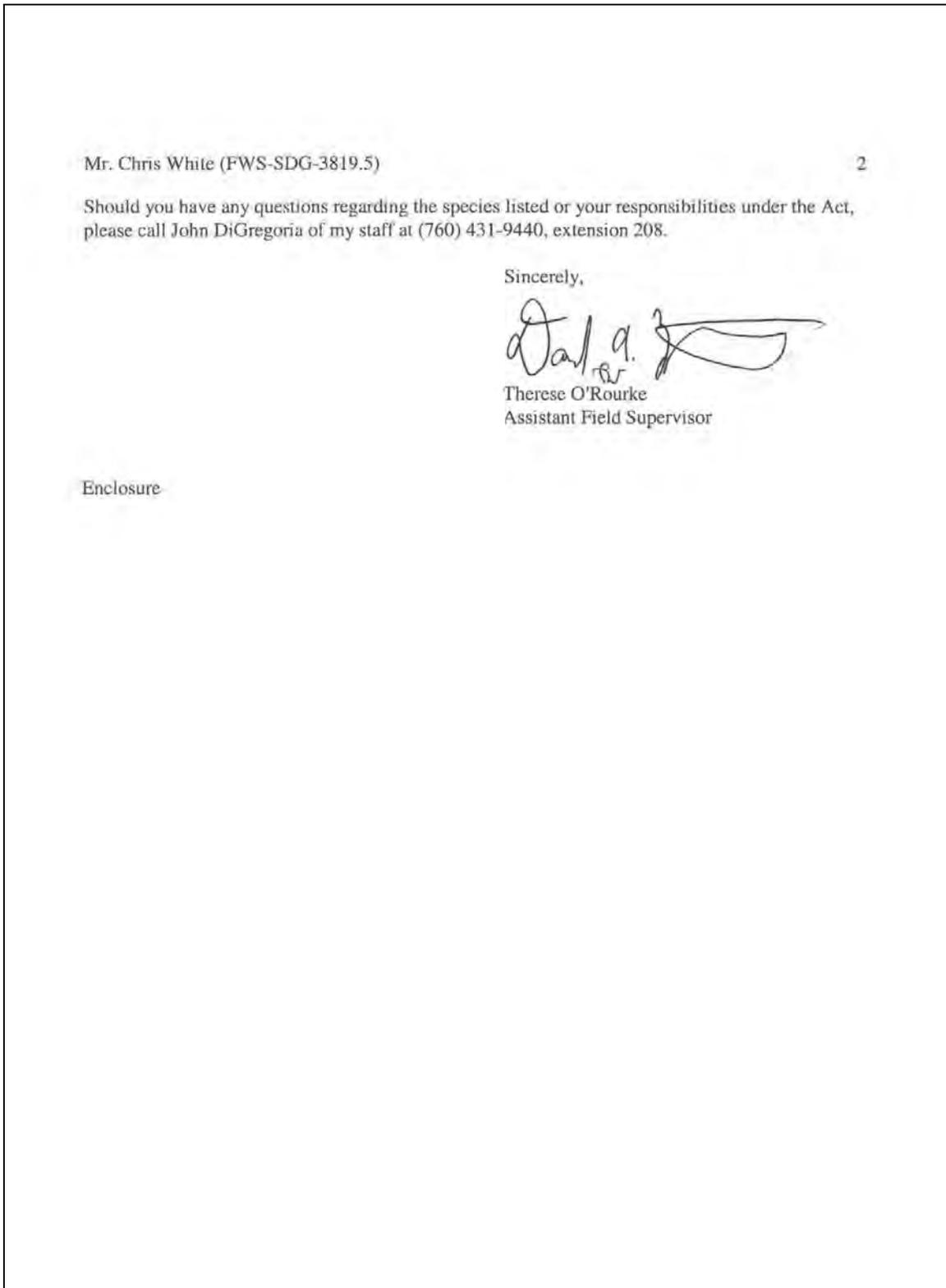


Figure 5-5.11 (cont.): USFWS Listed Endangered, Threatened, and Proposed Species

3

Listed Endangered, Threatened and Proposed Species
that may occur in the vicinity of Interstate 5
in San Diego County, California

Common Name	Scientific Name	Status
<u>BIRDS</u>		
coastal California gnatcatcher	<i>Poliopitila californica californica</i>	T
least Bell's vireo	<i>Vireo bellii pusillus</i>	E
western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T
brown pelican	<i>Pelecanus occidentalis</i>	E
light-footed clapper rail	<i>Rallus longirostris levipes</i>	E
California least tern	<i>Sterna antillarum browni</i>	E
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E
<u>INVERTEBRATES</u>		
San Diego fairy shrimp	<i>Branchinecta sandiegonensis</i>	E
Riverside fairy shrimp	<i>Streptocephalus woottoni</i>	E
<u>PLANTS</u>		
Del Mar manzanita	<i>Arctostaphylos glandulosa ssp. crassifolia</i>	E
Encinitas Baccharis	<i>Baccharis vanessae</i>	E
San Diego ambrosia	<i>Ambrosia pumila</i>	E
San Diego button celery	<i>Eryngium aristulatum var. parishii</i>	E
San Diego mesa mint	<i>Pogogyne abramsii</i>	E
spreading navarretia	<i>Navarretia fossalis</i>	T
thread-leaved brodiaea	<i>Brodiaea filifolia</i>	T

E=Endangered T=Threatened

Figure 5-5.11 (cont.): USFWS Listed Endangered, Threatened, and Proposed Species

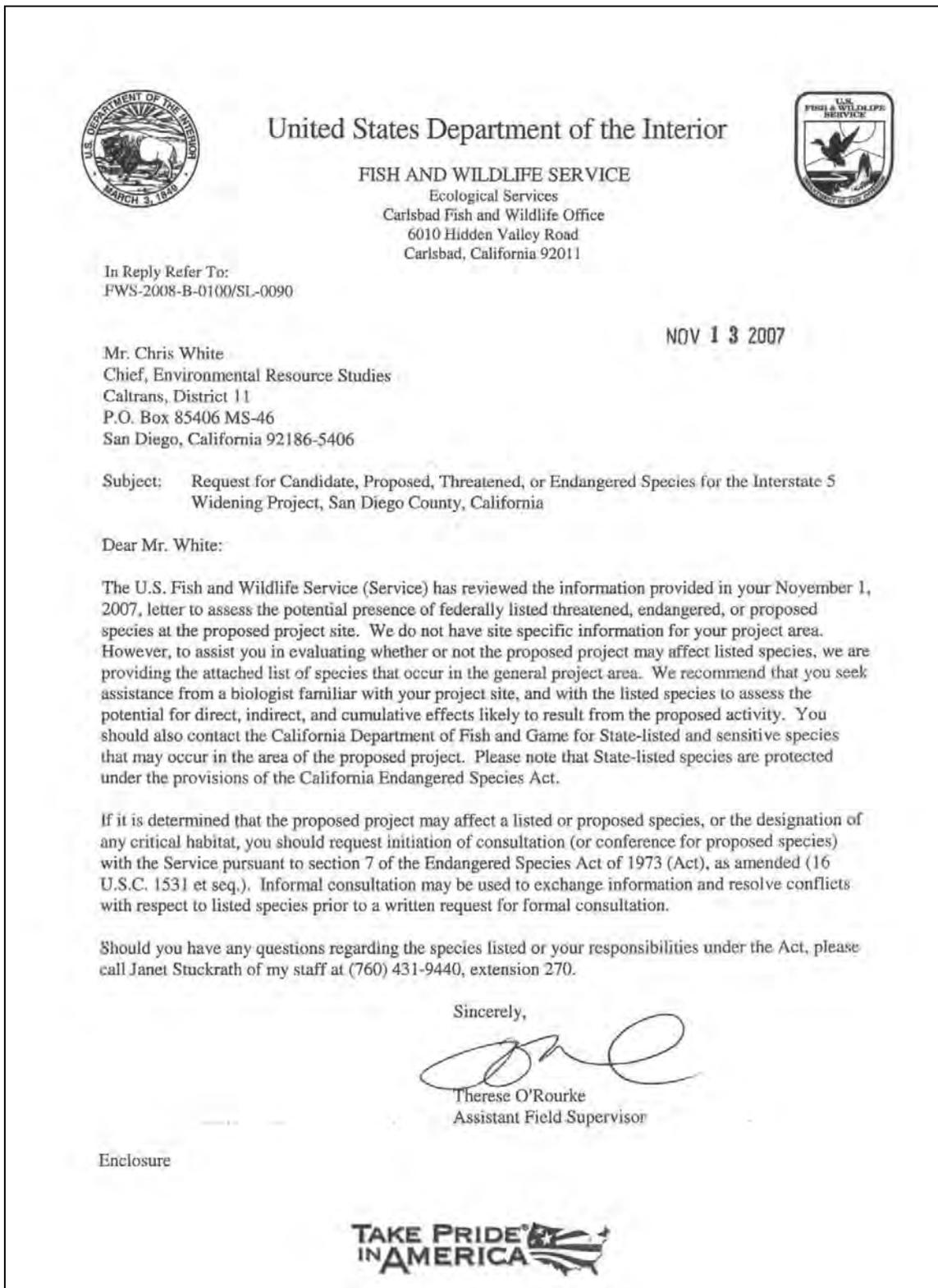


Figure 5-5.11 (cont.): USFWS Listed Endangered, Threatened, and Proposed Species

Mr. Chris White (FWS-2008-B-0100/SL-0090)

2

Listed Endangered, Threatened and Proposed Species
that may occur in the vicinity of Interstate 5
in San Diego County, California

Common Name	Scientific Name	Status
BIRDS		
western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T, CH
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	E, CH
brown pelican	<i>Pelecanus occidentalis</i>	E
coastal California gnatcatcher	<i>Polioptila californica californica</i>	T*, CH
light-footed clapper rail	<i>Rallus longirostris levipes</i>	E
California least tern	<i>Sterna (Sterna) antillarum browni</i>	E
least Bell's vireo	<i>Vireo bellii pusillus</i>	E, CH
FISH		
tidewater goby	<i>Eucyclogobius newberryi</i>	E, CH
CRUSTACEANS		
San Diego fairy shrimp	<i>Branchinecta sandiegonensis</i>	E, pCH
Riverside fairy shrimp	<i>Streptocephalus woottoni</i>	E, CH
PLANTS		
San Diego thornmint	<i>Acanthomintha ilicifolia</i>	T, pCH
San Diego ambrosia	<i>Ambrosia pumila</i>	E
Del Mar manzanita	<i>Arctostaphylos glandulosa ssp. crassifolia</i>	E
coastal dunes milk-vetch	<i>Astragalus tener var. titi</i>	E
Encinitas baccharis	<i>Baccharis vanessae</i>	T
thread-leaved brodiaea	<i>Brodiaea filifolia</i>	T, CH
Orcutt's spineflower	<i>Chorizanthe orcuttiana</i>	E
San Diego button-celery	<i>Eryngium aristulatum var. parishii</i>	E
Orcutt's hazardia	<i>Hazardia orcuttii</i>	C
willowy monardella	<i>Monardella linoides ssp. viminea</i>	E, CH
spreading navaretia	<i>Navaretia fossalis</i>	T, CH
California Orcutt grass	<i>Orcuttia californica</i>	E
San Diego mesa mint	<i>Pogogyne abramsii</i>	E

T=Threatened E=Endangered C=Federal candidate species
T*=Proposed DPS pCH=Proposed Critical Habitat CH=Critical Habitat

Figure 5-5.11 (cont.): USFWS Listed Endangered, Threatened, and Proposed Species



Preserving America's Heritage

June 25, 2008

Mr. Chris White, Chief
 Environmental Resource Studies
 Department of Transportation
 Environmental Division, MS-242
 4050 Taylor Street
 San Diego, CA 92110

Re: *Proposed I-5 North Coast Corridor Project*
San Diego County, California

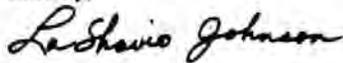
Dear Mr. White:

On April 28, 2008 the Advisory Council on Historic Preservation (ACHP) received your notification regarding the adverse effects of the referenced undertaking. Based upon the information you provided, we have concluded that Appendix A, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, of our regulations, "Protection of Historic Properties" (36 CFR Part 800), does not apply to this undertaking. Accordingly, we do not believe that our participation in the consultation to resolve adverse effects is needed. However, if we receive a request for participation from the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer, affected Indian tribe, a consulting party, or other party, we may reconsider this decision. Additionally, should circumstances change, and you determine that our participation is needed to conclude the consultation process, please notify us.

Pursuant to 36 CFR §800.6(b)(1)(iv), you will need to file the final Memorandum of Agreement (MOA), developed in consultation with the California SHPO, Indian tribes, and other consulting parties, and related documentation at the conclusion of the consultation process. The filing of the MOA with the ACHP and fulfillment of its stipulations are required to complete your compliance responsibilities under Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions or require further assistance, please contact Carol Legard at 202-606-8522 or clegard@achp.gov.

Sincerely,



LaShavio Johnson
 Historic Preservation Technician
 Federal Permitting, Licensing and Assistance Section
 Office of Federal Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

1100 Pennsylvania Avenue NW, Suite 803 • Washington, DC 20004
 Phone: 202-606-8503 • Fax: 202-606-8647 • achp@achp.gov • www.achp.gov

Figure 5-5.12: ACHP Response to Undertaking Notification

Chapter 6 – List of Preparers

This EIR/EIS and related technical studies were prepared by and under the supervision of Caltrans District 11 staff and other contributors identified below.

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California Department of Transportation – District 11

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2

Chapter 7 – Distribution List

This distribution list identifies the interested parties that provided and/or requested their address be included in the Final EIR/EIS. Interested parties that provided comments regarding the project through email are included on a separate email distribution list and are to be notified with an email that provides the link to their responses to comments.

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Resource Management and Planning
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La Jolla, CA 92093-0057

Catherine J. Presmyk,
Assistant Director, Environmental Planning
University of California, San Diego
Physical Planning Office
9500 Gilman Drive, MC 0074
La Jolla, CA 92093-0074

Brad Werdick, AICP, Director - Physical and
Community Planning
University of California, San Diego
9500 Gilman Drive, MC 0074
La Jolla, CA 92093-0074

State Elected Officials

The Honorable Toni Atkins
California State Assembly
78th District
1350 Front Street, Room 6054
San Diego, CA 92101

The Honorable Marty Block
California State Senate
39th District
701 B Street, Suite 1840
San Diego, CA 92101

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State Elected Officials (cont.)

The Honorable Rocky Chavez
California State Assembly
76th District
1910 Palomar Point Way, Suite 106
Carlsbad, CA 92008

The Honorable Marie Waldron*
California State Assembly
75th District
350 West Fifth Ave., Suite 110
Escondido, CA 92025

The Honorable Brian Maienschein
California State Assembly
77th District
12396 World Trade Drive, Suite 118
San Diego, CA 92128

The Honorable Mark Wyland*
California State Senate
38th District
1910 Palomar Point Way, #105
Carlsbad, CA 92008

Local Government

Robert Reider, Section Supervisor, Rules
Air Pollution Control District
10124 Old Grove Road
San Diego, CA 92131-1649

Director
City of Carlsbad
Community Development Department
1635 Faraday Avenue
Carlsbad, CA 92008

Attn. EIR Review*
Cardiff-by-the-Sea Library
2081 Newcastle Avenue
Cardiff-by-the-Sea, CA 92007

Director
City of Carlsbad
Engineering Department
1635 Faraday Avenue
Carlsbad, CA 92008

Attn. EIR Review
Cardiff School District
1888 Montgomery Avenue
Cardiff-by-the-Sea, CA 92007

Director
City of Carlsbad
Fire Department Administration
2560 Orion Way
Carlsbad, CA 92010

Attn. EIR Review*
Carlsbad City Library
1775 Dove Lane
Carlsbad, CA 92011

Attn. EIR Review*
City of Carlsbad
Georgina Cole Library
1250 Carlsbad Village Drive
Carlsbad, CA 92008

John A. Roach, Superintendent
Carlsbad Unified School District
6225 El Camino Real
Carlsbad, CA 92009

Director
City of Carlsbad
Parks and Recreation
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Lisa Hildabrand, City Manager
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Kevin M. Hardy, General Manager
City of Carlsbad
Carlsbad Municipal Water District
P.O. Box 9009

Conrad "Skip" Hammann, P.E.,
Transportation Director
City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008-7314

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Local Government (cont.)

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City of Carlsbad
Planning Division
1635 Faraday Avenue
Carlsbad, CA 92008-7314

Suzie Meyer
Administrative Secretary
City of Carlsbad
Police Department
2560 Orion Way
Carlsbad, CA 92010

Bryan Jones, Deputy Director
Transportation
City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008

Kathleen Garcia, Planning Director
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014-2698

Scott Huth, City Manager
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014-2698

Linda Niles, Director
City of Del Mar
Department of Planning/Community
Development
1050 Camino del Mar
Del Mar, CA 92014-2698

Director
City of Del Mar
Fire Department
1050 Camino del Mar
Del Mar, CA 92014-2698

Eric Minicilli, Director
City of Del Mar
Public Works Department
1050 Camino del Mar
Del Mar, CA 92014-2698

Gustavo Vina, City Manager
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

Scott Henry, Fire Chief
City of Encinitas
Fire and Marine Safety
505 South Vulcan Avenue
Encinitas, CA 92024

Lisa Rudloff, Director
City of Encinitas
Parks and Recreation
505 South Vulcan Avenue
Encinitas, CA 92024

Patrick Murphy, Director
City of Encinitas
Planning and Building
505 South Vulcan Avenue
Encinitas, CA 92024

Larry Watt, Director
City of Encinitas
Public Works Department
160 Calle Magdalena
Encinitas, CA 92024-3633

Peter Weiss, City Manager
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

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City of Oceanside
Fire Department Headquarters
300 North Coast Highway
Oceanside, CA 92054

Dennis Martinek, Chair
City of Oceanside
Oceanside Planning Commission
300 North Coast Highway
Oceanside, CA 92054

Local Government (cont.)

Director
City of Oceanside
Parks and Recreation
300 North Coast Highway
Oceanside, CA 92054

Jerry Hittleman, City Planner
City of Oceanside
Planning Department
300 North Coast Highway
Oceanside, CA 92054

Leonard Mata, Sergeant
City of Oceanside
Police Department
3855 Mission Avenue
Oceanside, CA 92054

John Amberson, Transportation Planner
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Director
City of Oceanside
Water Utilities Department
300 North Coast Highway
Oceanside, CA 92054

Director
City of Oceanside
Development Services Department
300 North Coast Highway
Oceanside, CA 92054

Director
City of San Diego
City Planning and Community Investment
Planning Division
202 C Street, MS 5A
San Diego, CA 92101

Cecilia Gallardo, Assistant Deputy Director
of Development Services
City of San Diego
Development Services Department
1222 1st Avenue, MS 501,
San Diego, CA 92101

Stacey LoMedico, Director
City of San Diego
Parks and Recreation Department
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San Diego, CA 92101

Roger Bailey, Director
City of San Diego
Public Utilities Department
1222 First Avenue, 4th Floor
San Diego, CA 92101

Jim Barrett, Director
City of San Diego
Water Department
600 B Street, Suite 400, MS 904a
San Diego, CA 92101

David Ott, City Manager
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

Denise Olaguer
City of Solana Beach
City Manager's Office
635 South Highway 101
Solana Beach, CA 92075

Attn. EIR Review
City of Solana Beach
Community Development Department
635 South Highway 101
Solana Beach, CA 92075

Attn. EIR Review
City of Solana Beach
Fire Department
500 Lomas Santa Fe Drive
Solana Beach, CA 92075

Director
City of Solana Beach
Parks and Recreation
635 South Highway 101
Solana Beach, CA 92075

Local Government (cont.)

Director
City of Solana Beach
Public Works Department
635 South Highway 101
Solana Beach, CA 92075

Cheryl Goddard
Land Use/Environmental Planner
County of San Diego Parks and Recreation
5500 Overland Avenue, Suite 410
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Clerk of the Board
County Administration Center
1600 Pacific Highway, Suite 310
San Diego, CA 92101

County Clerk's Office*
County of San Diego
1600 Pacific Highway
San Diego, CA 92101

County of San Diego
Department of Parks and Recreation
5500 Overland Avenue, Suite 410
San Diego, CA 92123

Attn. EIR Review*
Del Mar Library
1309 Camino del Mar
Del Mar, CA 92014

Dena Whittington, Assistant Superintendent
Del Mar Union School District
11232 El Camino Real
Del Mar, CA 92130

Attn. EIR Review*
Encinitas Library
540 Cornish Drive
Encinitas, CA 92024

Attn. EIR Review
Encinitas Union School District
101 South Rancho Santa Fe Road
Encinitas, CA 92024

William Metcalf, Chief
North County Fire Protection District
330 S. Main Avenue
Fallbrook, CA 92028-2938

Kurt Luhrsen, Principal Planner
North County Transit District
810 Mission Avenue
Oceanside, CA 92054

Matthew O. Tucker, Executive Director
North County Transit District
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330 North Coast Highway
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Larry Perondi, Superintendent
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San Diego Association of Governments
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San Diego Association of Governments
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San Diego, CA 92101

Shelby Tucker
San Diego Association of Governments
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San Diego County Library
Solana Beach Branch
157 Stevens Avenue
Solana Beach, CA 92075

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Local Government (cont.)

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County of San Diego Department of Parks &
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San Diego, CA 92123

William D. Gore, Sheriff
San Diego County Sheriff's Department
John F. Duffy Administrative Center
P.O. Box 939062
San Diego, CA 92193-9062

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San Diego County Sheriff's Department -
Encinitas
175 North El Camino Real
Encinitas, CA 92024

Maureen Stapleton, General Manager
San Diego County Water Authority
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Administrative Office/General Information
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San Diego, CA 92101

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San Diego Metropolitan Transit System
1255 Imperial Avenue, Suite 1000
San Diego, CA 92101-7400

Sharon Cooney, Planning Director
San Diego Metropolitan Transit System
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San Diego, CA 92101

Attn. EIR Review
San Diego Police Department
1401 Broadway Street
San Diego, CA 92101

William Lansdowne, Chief
San Diego Police Department
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San Diego, CA 92101

Lt. Kevin Mayer
San Diego Police Department
Headquarters
1401 Broadway Street
San Diego, CA 92101

Attn. EIR Review*
San Diego Public Library
Carmel Valley Branch Library
3919 Townsgate Drive
San Diego, CA 92130

Attn. EIR Review*
San Diego Public Library – Central
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San Diego, CA 92101

David Gibson, Executive Officer
San Diego Regional Water Quality Control
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9174 Sky Park Court, Suite 100
San Diego, CA 92123

Stuart Hurlbert
San Diego State University
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San Diego, CA 92182

San Diego State University
College of Arts and Letters
South Coastal Information Center
4283 El Cajon Boulevard, Suite 250
San Diego, CA 92105

John W. Helmer, Director
San Diego Unified Port District
Land Use Planning
3165 Pacific Highway
San Diego, CA 92101

Attn. EIR Review
San Diego Unified School District
Eugene Brucker Education Center
4100 Normal Street
San Diego, CA 92103

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Local Government (cont.)

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San Dieguito Union High School District
710 Encinitas Boulevard
Encinitas, CA 92024

Local Elected Officials

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Solana Beach School District
309 North Rios Avenue
Solana Beach, CA 92075

The Honorable Terry Sinnott, Mayor
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014

Leslie Fausset, Superintendent
Solana Beach School District
309 North Rios Avenue
Solana Beach, CA 92075-1298

The Honorable Lee Haydu, Deputy Mayor
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014

The Honorable Matt Hall, Mayor
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

Al Corti, Council Member
The Honorable City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014

The Honorable Keith Blackburn,
Council Member
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

The Honorable Sherryl Parks,
Council Member
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014

The Honorable Farrah Golshan Douglas,
Council Member
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

The Honorable Don Mosier,
Council Member
City of Del Mar
1050 Camino del Mar
Del Mar, CA 92014

The Honorable Mark Packard,
Mayor Pro Tem
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

The Honorable Teresa Barth, Mayor
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

The Honorable Lorraine Wood,
Council Member
City of Carlsbad
1200 Carlsbad Village Drive
Carlsbad, CA 92008

The Honorable Lisa Shaffer, Deputy Mayor
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

The Honorable Tony Kranz, Council Member
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

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Local Elected Officials (cont.)

The Honorable Kristin Gaspar,
Council Member
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

The Honorable Mark Muir, Council Member
City of Encinitas
505 South Vulcan Avenue
Encinitas, CA 92024

The Honorable Jim Wood, Mayor*
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

The Honorable Gary Felien,
Council Member
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

The Honorable Jack Feller, Council Member
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

The Honorable Jerome Kern, Deputy Mayor
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

The Honorable Esther Sanchez,
Council Member
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

The Honorable Todd Gloria, Interim Mayor
City of San Diego
City Administration Building, 11th Floor
202 C Street
San Diego, CA 92101

The Honorable Sherri Lightner,*
Council Member, District 1
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Kevin Faulconer,
Council Member, District 2
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Todd Gloria
Council President, District 3
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Myrtle Cole
Council Member, District 4
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Mark Kersey
Council Member, District 5
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Lorie Zapf,
Council Member, District 6
City of San Diego
City Administration Building
202 C Street
San Diego, CA 92101

The Honorable Scott Sherman
Council Member, District 7
City of San Diego
City Administration Building
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San Diego, CA 92101

The Honorable Marti Emerald,
Council Member, District 9
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Local Elected Officials (cont.)

The Honorable David Alvarez,
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City Administration Building
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San Diego, CA 92101

The Honorable Mike Nichols, Mayor*
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The Honorable Thomas M. Campbell
Deputy Mayor
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The Honorable Lesa Heebner,
Council Member
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The Honorable Peter Zahn
Council Member
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The Honorable David Zito
Council Member
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The Honorable Greg Cox, Supervisor,
1st District*
San Diego County Board of Supervisors
1600 Pacific Highway
San Diego, CA 92101

The Honorable Dianne Jacob, Supervisor,
2nd District*
San Diego County Board of Supervisors
1600 Pacific Highway
San Diego, CA 92101

The Honorable Dave Roberts, Supervisor,
3rd District*
San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
San Diego, CA 92101

The Honorable Ron Roberts, Supervisor,
4th District*
San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
San Diego, CA 92101

The Honorable Bill Horn, Supervisor,
5th District*
San Diego County Board of Supervisors
1600 Pacific Highway, Room 335
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Native American Organizations and Contacts

Barona Group of Capitan Grande Band of
Mission Indians
Barona Band of Mission Indians
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EPA Specialist
Barona Group of Capitan Grande Band of
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Barona Band of Mission Indians
1095 Barona Road
Lakeside, CA 92040

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Native American Organizations and Contacts (cont.)

Clifford LaChappa, Chairman
Barona Group of Capitan Grande Band of
Mission Indians
Barona Band of Mission Indians
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Lakeside, CA 92040

Luther Salgado, Sr., Chairman
Cahuilla Band of Mission Indians
5270 Highway 371
P.O. Box 391760
Anza, CA 92086

Ralph Goff, Chairman
Campo Kumeyaay Nation
36190 Church Road, Suite 1
Campo, CA 91906

Harry Paul Cuero, Vice Chairman
Campo Kumeyaay Nation
36190 Church Road, Suite 1
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Fidel Hyde, EPA Supervisor
Campo Kumeyaay Nation
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Michael Garcia, EPA Director
Ewiiapaayp Band of Kumeyaay Indians
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Alpine, CA 91901

Will Micklin, Executive Director
Ewiiapaayp Band of Kumeyaay Indians
4054 Willows Road
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Robert Pinto, Chairperson
Ewiiapaayp Band of Kumeyaay Indians
4054 Willows Road
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Rebecca Osuna, Chairwoman
Inaja-Cosmit Band of Mission Indians
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Jamul Band of Mission Indians
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Jamul, CA 91935

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Jamul Band of Mission Indians
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Jamul, CA 91935

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P.O. Box 25628
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David Belardes, Chairperson
Juaneño Band of Mission Indians
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Teresa M. Romero, Chairwoman
Juaneño Band of Mission Indians
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Native American Organizations and Contacts (cont.)

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Juaneño Band of Mission Indians
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Santa Ana, CA 92799

Joyce Perry, Tribal Manager & Cultural
Resources
Juaneño Band of Mission Indians
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4955 Paseo Segovia
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Anthony Rivera, Jr., Chairperson
Juaneño Band of Mission Indians
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Steve Banegas, Spokesperson
Kumeyaay Cultural Repatriation Committee
1095 Barona Road
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Ron Christman
Kumeyaay Cultural Historic Committee
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Kumeyaay Cultural Heritage Preservation
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Pauma Valley, CA 92061

LaVonne Peck, Chairperson
La Jolla Band of Luiseño Indians
22000 Highway 76
Pauma Valley, CA 92061

Rob Roy, Environmental Director
La Jolla Band of Luiseño Indians
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Gwendolyn Parada, Chairperson
La Posta Band of Mission Indians
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Evelyn Duro, Tribal Administrator
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Cupeño Indians
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Warner Springs, CA 92086-0189

Shane Chapparosa, Tribal Spokesperson
Los Coyotes Band of Cahuilla and Cupeño
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P.O. Box 189
Warner Springs, CA 92086-0189

Melody Sees, Environmental Director
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Leroy Elliot, Chairperson
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Native American Organizations and Contacts (cont.)

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Shasta C. Gaughen, Tribal Historic
Preservation Officer
Pala Band of Mission Indians
Cupa Cultural Center
35008 Pala-Temecula Road, PMB 50
Pala, CA 92059

Robert Smith, Tribal Chairman
Pala Band of Mission Indians
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Bennae Calac, Council Member
Pauma Band of Luiseño Indians
P.O. Box 369
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Randall Majel, Chairperson
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P.O. Box 369
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Raymond Basquez
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Mark Macarro, Chairperson
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1 West Tribal Road
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Stephanie Spencer, Chairperson
Rincon Band of Luiseño Indians
Rincon Heritage Commission
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Bo Mazzetti, Tribal Chairman
Rincon Band of Luiseño Indians
1 West Tribal Road
Valley Center, CA 92082

Tribal Historic Preservation Officer
Rincon Band of Luiseño Indians
1 West Tribal Road
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Tiffany Wolfe, EPA
Rincon Band of Luiseño Indians
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Henry Contreras, Council Member
San Luis Rey Band of Luiseño Indians
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Merri Lopez-Keifer, Tribal Legal Counsel
San Luis Rey Band of Luiseño Indians
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Carmen Mojado, Co-Chairperson
San Luis Rey Band of Luiseño Indians
1889 Sunset Drive
Vista, CA 92081

Russell Romo, Chairperson
San Luis Rey Band of Luiseño Indians
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Mel Vernon, Captain
San Luis Rey Band of Luiseño Indians
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San Pasqual Band of Mission Indians
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Native American Organizations and Contacts (cont.)

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Santa Rosa Band of Cahuilla Indians
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Mountain Center, CA 92539

Clint Linton, Director of Cultural Resources
Santa Ysabel Band of Diegueño Indians
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Santa Ysabel, CA 92070

Virgil Perez, Spokesperson
Iipay Nation of Santa Ysabel Band of
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Soboba Band of Luiseño Indians
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Rosemary Morillo, Chairperson
Soboba Band of Luiseño Indians
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San Jacinto, CA 92581

Joseph Ontiveros, Director
Soboba Cultural Resources Department
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San Jacinto, CA 92581

Sydney Morris, Environmental Coordinator
Sycuan Band of the Kumeyaay Nation
1 Kwaaypaay Court
El Cajon, CA 92019

Daniel Tucker, Chairperson
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1 Kwaaypaay Court
El Cajon, CA 92019

Dean Mike, Chairperson
Twenty-Nine Palms Band of Mission Indians
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Tribal EPA
Twenty-Nine Palms Band of Mission Indians
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Coachella, CA 92236

Anthony R. Pico, Chairperson
Viejas Band of Kumeyaay Indians
P.O. Box 908
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Interested Companies, Organizations, Citizens and Community Planning Groups

Faeren Adams
4584 Georgia Street, #4
San Diego, CA 92116

Mike Melts, Board Chair
Agua Hedionda Lagoon Foundation
1580 Cannon Road
Carlsbad, CA 92008

Douglas Alden
610 Marine View Avenue
Del Mar, CA 92104

Bruce Allen
660 N. Granados Avenue
Solana Beach, CA 92075

Scott J. Allen
2750 Wheatstone, No. 19
San Diego, CA 92111

Carolyn Ames
2923 Cape Sebastian Place
Cardiff-by-the-Sea, CA 92007

Linda Andrews
13220 Ocean Vista Road
San Diego, CA 92130

Andy Anson
1028 Pine Avenue
Carlsbad, CA 92008

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Interested Companies, Organizations, Citizens and Community Planning Groups (cont.)

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Arroyo Sorrento Homeowner's Association
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Del Mar, CA 92014

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Arroyo Sorrento Property Owners
3929 Arroyo Sorrento Road
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Jerry Schaefer, Ph.D.
ASM Affiliates
2034 Corte Nogal
Carlsbad, CA 92009

Joan Bach
13094 Portofino Drive
Del Mar, CA 92014

Frances Bachman
1134 San Ricardo Court
Solana Beach, CA 92045

Joseph Bachman
1134 San Ricardo Court
Solana Beach, CA 92075

Carol Ball
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Encinitas, CA 92024

Janice Barnard
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Del Mar, CA 92014

Teresa Barth
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Cardiff-by-the-Sea, CA 92007

Robert L. Barto
8803 Robinhood Lane
La Jolla, CA 92037-2138

Anthony S. Basile
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