

Chapter 3 Public and Agency Coordination

3.1 Introduction

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental planning process to determine the level of environmental documentation needed, analysis, potential impacts, and mitigation measures. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including PDT meetings, interagency coordination meetings, and public scoping meetings. This chapter, as well as Table 3.0, summarizes the results of the Department's efforts to fully identify, address, and resolve project-related issues through early and continuing coordination. Agency correspondence is provided in Appendix C.

Table 3.0
Summary of Consultation and Coordination Activities

Timing	Activity
February 2000	Scoping Document
Post-June 2000	The Department consulted with ACOE and CDFG regarding project drainage features.
July 19, 2000	Informal Agency Scoping Meeting at Ambuehl Elementary School
May 2001	Department staff coordinated with the ACOE and conducted field meetings.
July 2001	Department staff consulted with the Native American Heritage Commission (NAHC) and requested a search of the sacred lands file and a list of individuals/organizations that may have knowledge of cultural resources in the area.
August 16, 2001	NAHC response identified no Native American cultural resources or sacred sites within the project area and provided a list of individuals with tribal associations. The Department contacted these individuals, and some requested to be kept informed about the project.
September 27, 2001	NAHC response letter to Department stated that a search of the sacred lands file failed to identify the presence of Native American cultural resources within the project area. A list of individuals to contact for more information was also provided.
October 2001	Department staff consulted with the San Juan Capistrano Historical Society.
2001–June 2005	Department staff consulted with the ACOE, CDFG, USFWS, and NMFS.
Early 2004	City of San Juan Capistrano Historic Preservation Manager was consulted.
May 30, 2006	The City Council and Planning Commission held a public workshop to discuss soundwalls, retaining walls and landscaping.
September 12, 2006	The Department sent an updated letter to NAHC with amended project information.
September 21, 2006	Department conducted a field meeting with CDFG.
October 5, 2006	Department conducted a field meeting with CDFG and ACOE.
October 4–13, 2006	Value Analysis workshops were conducted.
October 11, 2006	The Department sent letters to each Native American contact as provided in the September 27, 2006 NAHC letter.
October 24, 2006	Follow-up phone calls were made to each Native American contact.
October 24, 2006	The City held a public workshop to discuss noise impacts, sidewalk elimination, tree removal, and pedestrian safety.

3.1.1 Project Team Coordination

Project Development Team (PDT) Meetings

PDT meetings were held on an as-needed basis from inception of this project. In November 2005, the County of Orange brought together the City of San Juan Capistrano and the Department in anticipation of moving ahead with their plans to widen SR-74 within RMV's Planning Area 1 in unincorporated Orange County (SR-74 within County limits). The purpose of these meetings was to discuss project-specific issues and work together to ensure that the proposed project met the purpose and need and that these issues do not conflict with any plans, policies, or regulations. The PDT has been meeting on a monthly basis since November 2005.

Environmental Coordination Meetings

Environmental coordination meetings were held on a bi-weekly basis beginning in April 2006 between the Department, RMV, and the Department's consultants, HDR Engineering and BonTerra Consulting. Discussions regarding the environmental process and coordination between the involved parties were discussed.

Value Analysis Workshops

Value Analysis (VA) Workshops were conducted on October 5, 2006, and October 10 to 13, 2006. The purpose of the workshops was to focus on alternatives that would improve operations and safety, minimize impacts, reduce costs if possible, and satisfy the local stakeholders. Participants included Department staff from Design, Environmental Planning, Construction, Traffic Operations, Maintenance, Geotechnical Services, and other functional units. The VA Workshops provide guidance and recommendations for project management and decision making.

Various recommendations were suggested. The VA Workshop participants recommended shifting the alignment southerly to smooth the horizontal curve and reduce the wall height. HDR's evaluation indicated that the alignment shift would not result in meaningful savings in the cost of the proposed project so this recommendation was rejected. The VA Workshop participants also recommended removal of wrap-arounds for the sound walls. On December 6,

2006, the Department's Noise Unit sent survey letters to six homeowners where wrap-arounds were being considered. The results of the survey are that three homeowners are in favor of and three were against wrap-arounds. The VA Workshop participants recommended installation of pre-cast panels at the bottom of the glass walls. This recommendation has been adopted and will be reflected in the 95 percent PS&E. The VA Workshop participants also recommended rehabbing the existing pavement sections. The 95 percent PS&E will reflect appropriate pavement rehabilitation design.

3.1.2 Native American Consultation

In July 2001, Department staff consulted with the NAHC and requested a search of the sacred lands file and a list of individuals/organizations that may have knowledge of cultural resources in the area. In their August 16, 2001, correspondence, the NAHC listed no Native American cultural resources or sacred sites within the project area. The NAHC identified the following individuals and tribal associations: David Belardes, Chairperson for the Juaneno Band of Mission Indians – Acjachemen Nation; Sonia Johnston, Chairperson for the Juaneno Band of Mission Indians; and Anita Espinoza, Most Likely Descendent (MLD) for the Juaneno Band of Mission Indians. Subsequently, letters were mailed to each contact on the list with project information. A response letter from Mr. Belardes, dated September 19, 2001, requested to be kept informed about any project developments and offered monitoring assistance. Ms. Johnston and Ms. Espinoza did not respond.

On September 12, 2006, an updated request letter was submitted to the NAHC given the time that had elapsed from the original consultation. NAHC responded on September 27, 2006, in a letter indicating that a search of the sacred lands file failed to identify the presence of Native American cultural resources within the project area. The response identified the following individuals to contact for more information:

- Anthony Madrigal, Jr. – Interim Chairperson for the Cahuilla Band of Indians
- Maurice Chacon – Cultural Resources Coordinator for the Cahuilla Band of Indians
- Sonia Johnston – Chairperson for the Juaneño Band of Indians
- Anita Espinoza – Juaneño Band of Mission Indians

- Alfred Cruz – Cultural Resources Coordinator for the Juaneño Band of Mission Indians
- Joe Ocampo – Environmental Coordinator for the Juaneño Band of Mission Indians
- Anthony Rivera – Chairman for the Juaneño Band of Mission Indians, Acjachemen Nation
- David Belardes – Chairperson for the Juaneño Band of Mission Indians, Acjachemen Nation
- Joyce Perry – Tribal Manager and Cultural Resources Coordinator for the Juaneño Band of Mission Indians, Acjachemen Nation

On October 11, 2006, the Department mailed letters to each contact on the list with the proposed project information. No letter responses were received. On October 24, 2006, follow-up phone calls were placed to each contact on the list. Mr. Chacon responded by phone indicating the Cahuilla Band of Indians would be interested in monitoring in the event of a construction discovery. Ms. Espinoza responded by phone indicating that the Juaneño Band of Mission Indians would like to be kept informed of the project and any discoveries. She also offered monitoring assistance. No additional responses were received.

3.1.3 Historical Resources Consultation

In October 2001, Department staff consulted with the San Juan Capistrano Historical Society regarding historical resources within the project limits. A letter response, dated October 15, 2001, indicated that two historically significant structures are located within the project limits along SR-74: the Hankey/Rowse Cottage and the Errecarte House. Both structures are listed on San Juan Capistrano's Inventory of Local and Cultural Landmarks. Outside the project limits, additional historic structures (Parra Adobe and Harrison Farmhouse) were also identified. In addition, the letter also indicated that the community had a concern for and an interest in an undocumented house along with a fruit stand on the north side of SR-74. In addition, the letter also included excerpts from San Juan Capistrano Historian Ilse Byrne's 1970's National Register Nomination Form for SR-74 for more information.

Additional information pertaining to historical resources within the project area was obtained from the following:

- City of San Juan Capistrano Planning Department – Principal Planner, William Ramsey, provided information on the City's local landmark inventory in November 2001.
- City of San Juan Capistrano Historian – Ilse Byrnes has been providing information since November 2001 regarding trees of concern (Poplar tree at Hunt Club Dr. and trees at fruit stand/produce market), local historically significant structures on the City's inventory, and an undocumented adobe structure (Manriquez Adobe). Ms. Byrnes was provided a copy of the cultural technical study prepared for this project to review on January 23, 2007.
- City of San Juan Capistrano Planning Department Historic Preservation Manager – Erin Gettis was consulted at the beginning of 2004 when Ilse Byrnes first mentioned the undocumented adobe. In 2006, Terri Del Campo replaced Erin Gettis as Historic Preservation Manager for the City. Ms. Del Campo was provided a copy of the cultural technical study prepared for this project to review on January 23, 2007.

3.1.4 Public Agency Consultation and Coordination

Informal Agency Scoping Meeting

A scoping document was prepared by Caltrans District 12, Environmental Planning Branch and was sent to agencies in 2000. Caltrans District 12 hosted an Informal Agency Scoping Meeting on July 19, 2000, from 6:00 PM to 8:00 PM, in the multi-purpose room of Ambuehl Elementary School, at 28001 San Juan Creek Road, San Juan Capistrano. The meeting was attended by both agency representatives and stakeholders. The purpose of the meeting was to discuss the need, type, and scopes of studies planned for the proposed project, and hear the public's concerns. Major issues identified in the scoping documents and at the scoping meeting included:

- How will noise levels from the ultimate widened SR-74 be mitigated?
- How will noise levels from construction vehicles and big rigs be mitigated?
- Will sound barrier walls be constructed to lessen the noise?
- How will Palm Hill be sloped to accommodate the existing private road, Palm Hill Drive? To the extent that retaining walls need to be constructed, will grading and slopes jeopardize the structural integrity of four houses on top of the Palm Hill Drive?
- What is the amount of property to be purchased by the owners?

- How will safety be ensured while accessing the existing trail at Avenue Siega? An equestrian/pedestrian signal is warranted at this intersection.
- Will the work be done at night and will traffic be re-routed?
- How will the IS/EA mitigate the impacts to the existing wetland mitigation site, traffic, water quality, bikeways, trails, and unresolved issues of ACOE's notice of violation?

Consultation with Resource Agencies

Department staff consulted with the USFWS, NMFS, CDFG, and ACOE in regard to project issues involving threatened and endangered species, wetlands and other waters, project drainage features, and loss of habitat. Some of the field meetings and coordination are mentioned in this Chapter. However, the Natural Environment Study (NES) contains a detailed record of correspondence, consultation, and a summary of meeting findings.

Starting in 2001, Department staff consulted with the ACOE, the CDFG, the USFWS, and the NMFS regarding project drainage features and construction for the widening of the Lower San Juan Creek Bridge. The Department conducted sensitive species surveys starting in 2001. Caltrans continued this resource agency coordination from 2001 to June 2005 until the SR-74 project was split into City and County portions, with Caltrans retaining environmental review for the City portion of the project.

Once the project was split, Department staff has worked in coordination with the ACOE and CDFG, specifically on issues involving project drainage features. A field meeting was conducted between Department staff and the CDFG on September 21, 2006, and Department, ACOE, and CDFG staff on October 5, 2006. The Department and resource agency staff also worked to quantify the number of oak trees that would be impacted by project construction. The Department, along with resource agency staff, determined areas subject to resource agency jurisdiction and discussed resource agency concerns on the project.

Department staff notified the USFWS of the proposed project. A *Species List for the State Route 74 Widening Project in the City of San Juan Capistrano, Orange County, California*, was received from the USFWS on August 7, 2006. Due to the urbanized nature of the project area, federally and/or State-listed Threatened or Endangered species are not anticipated with the

Biological Study Area (BSA). As a result, a Biological Assessment (BA) was not prepared for the proposed project. Project drainage features do not contain the potential to support Essential Fish Habitat; as such, the NMFS was not consulted. In addition, the CDFG Natural Diversity Database was referenced for the San Juan Capistrano quadrangle.

The following permits, reviews, and approvals will be required prior to the construction of the proposed project:

Agency	Permit/Approval	Status
ACOE	Section 404 Letter of Permission for Activities Outside the RMV Planning Area	County of Orange to obtain permit/approval prior to construction
CDFG	Section 1602 Streambed Alteration Agreement EIR/EIS	County of Orange to obtain permit/approval prior to construction
RWQCB	401 Water Quality Certification	County of Orange to obtain Certification prior to construction

3.1.5 Public Participation

The San Juan Capistrano City Council and the Planning Commission held three public workshops. One was held on May 30, 2006, at City Hall to provide responses to the Department's May 4, 2006 letter to the City. The second was held on October 24, 2006, and the third on January 22, 2007.

May 30, 2006, Public Workshop

The City mailed a public workshop notice to all owners of real property (as listed on the latest Orange County Real Property Tax Assessment rolls) situated within 500 ft. (152.4 m) of the project. At the workshop, the City presented the proposed project to the community. The agenda items covered during this workshop included conceptual design alternatives, alternatives with respect to sound walls, and landscaping simulations. Minutes of the public workshop are presented in Appendix C.

October 24, 2006, Public Workshop

Another public workshop was held by the City of San Juan Capistrano at the City office on October 24, 2006. Agenda items discussed during this public workshop included reflective noise

for the residents located north of SR-74 that would be generated from the proposed soundwall on the south side of SR-74; the elimination of the sidewalk and some trees on the north side of SR-74 between the two entrances to the Hunt Club; and safety concerns related to exiting from such developments as Belford Terrace and the Hunt Club onto SR-74. Two issues that were important to the community were the need for a stop light somewhere near or east of the Hunt Club entrance, as well as sidewalks for students to use in going to the new high school scheduled to open in fall 2007.

January 22, 2007 Public Meeting

The third public meeting was held by the City of San Juan Capistrano at the City offices on January 22, 2007. It was a working group meeting with 12 or 13 people in attendance. The agenda items discussed during this public meeting can be grouped into three main areas. The first area of discussion was “no widening.” The second area of discussion included main issues of there is a project. It included discussion of a safe and attractive project, traffic signal/pedestrian crossing, and sound walls. The third area of discussion included other issues if there is a project. It included discussion of the following issues: air pollution, retaining walls/step them back, landscaping/loss of trees, sidewalks on the north side, right turn lane (deceleration lanes) into side streets, coordination with the Ortega Interchange Project, and future of trash trucks on SR-74.

Noise Survey

The Department conducted a noise survey on May 12, 2006, of potentially affected property owners to determine their preferences with respect to sound wall heights and treatments. The residents were also given a choice on the type of sound wall: masonry or glass walls. The Department concluded that noise abatement sound walls would be needed along the south side of SR-74 per the noise study that identified increased ambient noise levels. It is the Department’s policy that if the majority (51 percent or more) of the impacted residents are in favor of constructing noise abatement sound walls, the Department will support the proposed glass or masonry sound walls provided the wall(s) meets all Department noise attenuation, stability, and safety standards. The results of the survey indicated that 84 percent of the respondents were in favor of sound walls. Regarding the type of sound walls, 13 percent preferred glass walls, 19

percent preferred concrete walls, and 68 percent indicated no preference (Appendix B, Department's August 21, 2006, Letter). Since a majority of the surveyed group was in favor of the sound walls, the project would be required to have sound walls in accordance with the Department's noise abatement protocol.

Upcoming Public Meeting

Upon public circulation of this IS, a public meeting will be held to discuss the proposed project. The need for additional public meetings would be considered upon request. The public meeting will be held on:

Tuesday, July 24, 2007
6 PM to 8 PM
City of San Juan Capistrano
Marco Forester Middle School
25601 Camino Del Avion
San Juan Capistrano, California 92675

Copies of the IS as well as the technical studies are available for review at:

Caltrans District 12
3337 Michelson Drive, Suite 100
Irvine, California 92612
<http://www.dot.ca.gov/dist12/>

City of San Juan Capistrano
Planning Services Department
32400 Paseo Adelanto
San Juan Capistrano, California 92675
<http://www.sanjuancapistrano.org/>

San Juan Capistrano Regional Library
31495 El Camino Real
San Juan Capistrano, California 92675

During the public review period for the IS, comments can be submitted which would be addressed and published in the final environmental document. The deadline for submitting comments is August 9, 2007. Submit comments via postal mail to:

Department of Transportation
Environmental Planning
Smita Deshpande, Environmental Branch Chief
Attention: Iffat Qamar
3337 Michelson Drive, #380
Irvine, California 92612

Comments may also be submitted via email to: lower74_D12@dot.ca.gov