

State of California
Business, Transportation & Housing Agency
Transportation

ENVIRONMENTAL MATTERS
Adoption of Findings For Future Department of
Consideration of Funding
7-LA-138 51.4/69.4
Action Item

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CTC Meeting: June 6-7, 2001

Agenda Item: 2.2c.(3)

Original Signed By _____

W. J. EVANS
Chief Financial Officer
June 1, 2001

ADOPTION OF FINDINGS FOR FUTURE CONSIDERATION OF FUNDING
ROUTE 138 IN LOS ANGELES COUNTY

SUMMARY AND CONCLUSIONS

The attached resolution proposes to adopt the Findings for the following project for which an Environmental Impact Report has been completed:

- Route 138 in Los Angeles County- Widen the existing 2-lane highway to 4 lanes in the City of Palmdale and the communities of Littlerock, Pearblossom and Llano.

The project is partially programmed as five separate segments in the State Transportation Improvement Program (STIP) totaling \$52.4 million (42.5 capital and \$9.9 million support funds) with construction on the first two segments scheduled to begin in the 2002/03 fiscal year. The current cost estimate for the project is \$165.8 million (capital and support costs). The Department will be working with the Los Angeles County Metropolitan Transportation Authority to identify full funding for the project.

The approved Environmental Impact Report and subsequent addendum has been transmitted to Commission staff.

The Department has approved the project for construction. This approval and the resultant filing of the Notice of Determination with the Office of Planning and Research will satisfy the environmental requirements for this stage of the project planning process.

RECOMMENDATION

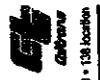
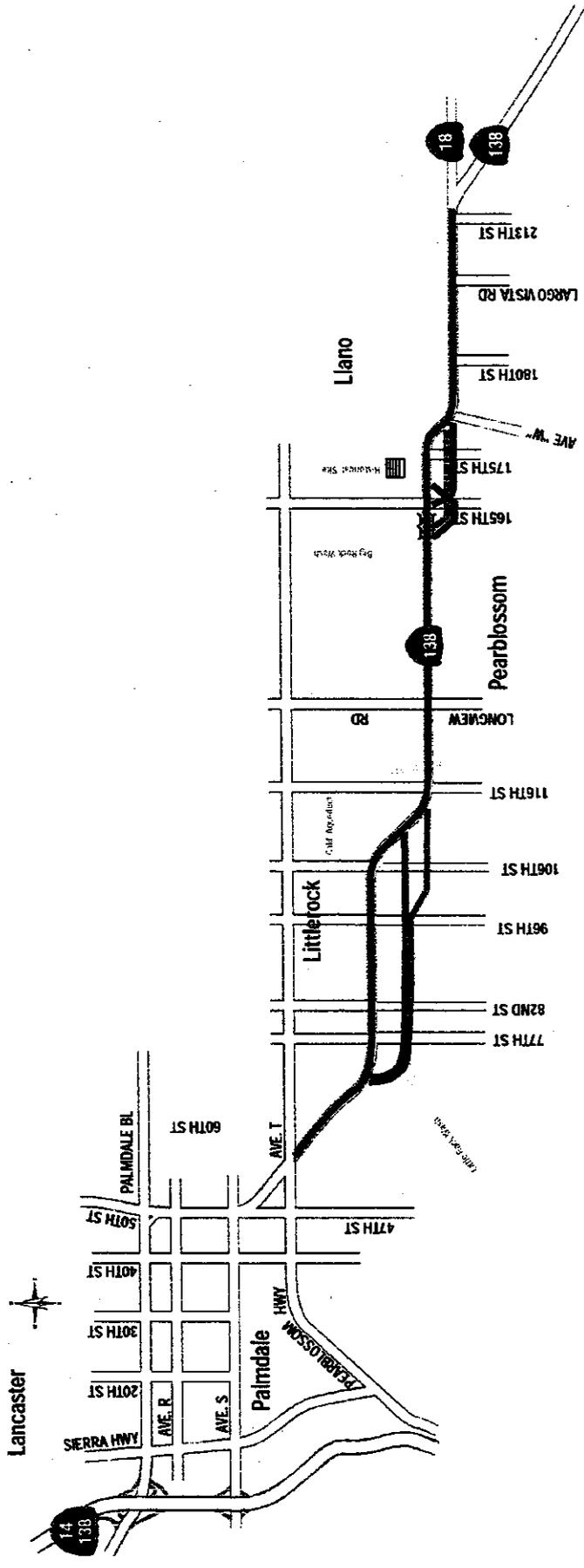
The Department recommends that the California Transportation Commission, as a responsible agency, approve the attached Resolution E-01-28.

Attachment



ROUTE 138 Alternatives

- Alternative 1 - Widening along existing facility
- Design Variation A - South of Llano Del Rio Hotel
- Design Variation B - South of Llano Site and North of Post Office
- Design Variation C - South of Llano Del Rio Hotel
- Design Variation D - Ave. V, Fort Tejon and Ave. V-8
- Design Variation E - Ave. V



7/12/00 - 138 location

Not to Scale

CALIFORNIA DEPARTMENT OF TRANSPORTATION

CEQA FINDINGS FOR THE STATE ROUTE 138 WIDENING PROJECT FROM
AVENUE T TO ROUTE 18 JUNCTION THROUGH PALMDALE, LITTLEROCK,
PEARBLOSSOM, AND LLANO, COUNTY OF LOS ANGELES

The following information is presented to comply with Section 15091 of the State CEQA Guidelines, and Section 1509.6 of the Department of Transportation and California Transportation Commission Environmental Regulations. Reference is made to the Final Environmental Impact Report (FEIR) for the project, which is the basic source for the information.

Mitigation monitoring will be in accordance with Caltrans' standard program contained in Article 1-2.8 of the Environmental Handbook, Volume 1.

The following effects have been identified in the FEIR as resulting from the project. Effects found not to be significant have not been included.

BIOLOGICAL

Adverse Environmental Effect: The proposed action has the potential to impact the local flora in the project area. The Natural Environment Study Report indicates the project may cause a loss of native vegetation, such as Mojave Creosote bush scrub and Joshua tree woodlands and impacts to sensitive flora.

Findings: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Statement of Facts: The following species are listed in the general area: Pierson's Morning Glory (*Calystegia peirsonii*) Federal species of concern, Pygmy Poppy (*Canbya candida*) California Native Plant Society (CNPS) species of limited distribution, Robinson's peppergrass (*Lepidium virginicum, var. robinsonii*) CNPS rare or endangered in California, Rock Creek Broomrape (*Orobanche Valida, ssp. Valida*) Federal Species of Concern/CNPS rare or endangered in California, Short-joint beavertail cactus (*Opuntia basilaris, var. brachyclada*) Federal Species of Concern/CNPS rare or endangered in California and elsewhere. The aforementioned species were not observed during plant surveys in the project area. However, there may be loss of native vegetation, such as Mojave Creosote Bush Scrub and Joshua Tree Woodlands. Caltrans has prepared a number of mitigation measures that would minimize the impacts to the flora of the project area. These mitigation measures include:

1. Although the pygmy poppy was not observed during the various plant surveys performed to date, these plants are annuals and extremely small, and thus, additional surveys would be performed during the plant's blooming period; which is from April to May

(USFS, 1995) and prior to construction. Additional surveys would be conducted prior to construction to ensure that this plant is not present.

- 2. The Robinson's pepper grass, Rock Creek Broomrape and the Short-joint beavertail cactus were not identified within the project area. There was not a positive identification for the rare variety of the cactus, additional surveys would be conducted prior to construction to ensure that this plant is not present.*
- 3. Focused surveys will be conducted prior to the commencement of work, with the CDFG and other agencies notified of the surveys results. Impacts from this project to these plants will be avoided, minimized, and if necessary mitigated. To avoid the impacts, if sensitive plant species are found within the project site, then the plants will be flagged and avoided if possible. If the plants are found within the temporary construction area, the plants will be flagged and all measures possible will be taken so that the plant is not removed nor the immediate soil vicinity disturbed. If, however, the plant will be impacted by ground disturbing activities around the plant, then the plant may be relocated. For mitigation of the project's impacts, Caltrans will consider appropriate land acquisition if the survey results and consultation with CDFG determine it is required.*
- 4. For effects onto the habitat of drainage areas, Section 404, 401, and 1601 permits/approvals will be obtained by the Caltrans District 7 Office of Environmental Planning, Natural Sciences Unit. Conditions may include one or more of the following items:
 - a) Handling of sensitive species, if found within the vicinity of the construction area is limited to a qualified biologist.*
 - b) Fencing will be placed along the alignment. It will serve two purposes: (1) Define the limits of temporary construction impacts, as well as protect environmentally sensitive areas, and (2) prevent sensitive wildlife such as coast horned lizards from drifting into the work area.*
 - c) If unknown sensitive species are encountered after construction has commenced, the project will be halted until after consultation with the appropriate resource agencies.*
 - d) Any vegetation that is removed will be replaced in accordance with Caltrans policy. A Vegetation Replacement Mitigation Plan will be prepared for onsite mitigation. Caltrans District 7 policy dictates that native flora removed from the site, whether planted or natural shall be replaced at a 10:1 ratio. This ratio is generally lowered for extremely large projects and if larger plants are used in the revegetation plan.*
 - e) Planting should be done between October and March. This is the optimal plant establishment period for this biotic community.*
 - f) Revegetation should be completed within one year after construction is completed.*
 - g) Vegetation monitoring will be conducted for five (5) years to determine success of the revegetation plan. Caltrans will prepare a mitigation plan that will include restoring the site, planting, maintenance and monitoring to ensure an appropriate level of success.*
 - h) The revegetation plan will include the plant palette, quantities and a drawing showing the plant locations.**
- 5. Revegetation of all areas temporarily impacted during construction activities, particularly drainage areas and other areas with substantial biotic diversity and density.*

Revegetation will be performed both on-site and off-site. Plans for this activity will be prepared by the Caltrans District 7 Office of Environmental Planning, Natural Sciences Unit and the Caltrans District 7 Division of Landscape Architecture.

6. Off-site acquisition for permanent impacts, particularly for areas with valuable biological resources, such as drainage areas, will be considered. The amount of land depends on the quality and quantity of habitat impacted.
7. A Desert Vegetation Preservation Plan must be submitted for the review and approval of the City of Palmdale. The plan will identify Joshua tree locations within the project area and recommend additional management efforts in order to remain consistent with local ordinances. The plan would be applicable to all Joshua trees within the jurisdiction of the City of Palmdale, which includes the sections of the proposed project between Avenue T and Avenue T-8.
8. Invasive species would not be introduced as a result of this project. This would be achieved through some Best Management Practices, including:
 - a) All equipment cleaning shall be conducted away from areas containing native plant assemblages
 - b) All equipment will be cleaned prior to entering the work area from a distant locale, in this case outside the Antelope Valley
 - c) All post-construction landscaping shall use species that, if not native, are not invasive
 - d) A post-construction inspection by a landscape Architect and District Biologist will be conducted to inventory if this goal has been accomplished. If not, eradication methods will be established into any post-construction mitigation plan.

Adverse Environmental Effect: The proposed project will result in a barrier to the migration or movement of animals.

Findings: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Statement of Facts: Within the State Route 138 study area, there are several major wildlife corridors. Within the State Route 138 study area, the more significant of these corridors are Little Rock Creek/Wash and Big Rock Creek/Wash are sufficient to maintain functioning wildlife corridor for both small and large animals. Understanding this, Caltrans has prepared a number of mitigation measures that minimize impacts to the migration or movements in the area. These mitigation measures include:

1. Prior to Construction further studies would be performed to determine the level to which other washes and drainages may be used by wildlife.
2. Prior to construction the potential impacts of roads on pollinators (e.g. bees and moths) will be examined. A study will be conducted to determine whether widening the road will have a negative impact on the population of pollinators that needed by the plants in the area.
3. Prior to project work a study will be conducted in order to determine the impacts to wildlife. In the study we propose to place tracking station within Caltrans right-of-way

at the locations that have the possibility of being used as a wildlife crossings. These stations will be monitored for an interval of five days and nights. The results of this study will be forwarded to all the agencies prior to the start of work.

4. Natural stream drainages often serve as important movement corridors for wildlife; they will be preserved wherever it is feasible to do so.
5. All drainage plans will be included in the final design phase, which will be completed after the environmental document has been finalized. Caltrans will consult with the CDFG, United States Army Corps of Engineers (USACOE), California Regional Water Quality Control Board (CRWQB), and the USFWS at the final design phase in regards to drainage issues. In addition, Caltrans will be responsible for obtaining permits from the resource agencies including the USACOE, CRWQCB and CDFG for impacts to the wash areas.

Cultural Resources

Adverse Environmental Effect: The project would result in direct impacts to the Llano del Rio Cooperative Colony in Llano. The site is eligible for the National Register of Historic Places and would also be significant under CEQA.

Findings: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

Statement of Facts: The Llano del Rio Cooperative Colony in Llano is located on approximately 2100 acres of land that is already bisected by State Route 138. The proposed project would shift 82-ft (25 m) to the south in order to avoid the Llano del Rio Hotel ruins that are located approximately 150-ft (46 m) from the shoulder of the highway and have been identified by the Big Pines Historical Society and the West Antelope Valley Historical Society as one of the most important remnants of the colony.

Mitigation measures for the Llano del Rio Cooperative Colony have been developed with coordination from the Federal Highway Administration, State Historic Preservation Officer and Caltrans in order to minimize the impact to the Llano del Rio site. The Memorandum of Agreement and Treatment Plan (available under separate cover) have the following guidelines and criteria:

1. *FHWA and Caltrans shall ensure that the approved treatment plan is fully implemented. All fieldwork required in the treatment plan would be completed prior to the start of any project ground-disturbing activities in the vicinity of the Llano del Rio Colony site. Other work required to carry out the purposes of the plan may continue after construction work begins. All work under the plan will be completed no later than three years after the fieldwork.*
2. **Public Interpretation:** *Following completion of the final technical report, Caltrans will develop public interpretive materials, covering historical and archaeological resources within the project area, and make the results of the treatment program available to the public through measures that minimally consist of a publication prepared for popular consumption.*

3. **Protective Measures:** *To prevent inadvertent damage to the portions of the Llano Colony site that lie outside of the proposed ROW, the site will be designated and managed as an Environmentally Sensitive Area (ESA). Prior to construction, the ESA will be specifically described in the plans, specifications, and estimates prepared to guide the construction effort. Monetary penalties will be specified for ESA transgressions. Permanent fencing and vehicular gates will be installed as the first construction activity along this section of the highway. These fences will extend along the north and south ROW boundary lines from 165th Street to 175th Street through the former urban core of the community. Vehicular gates will be placed to allow access to existing private dirt roads. Upon completion of the construction project the local maintenance supervisor will review the location of the permanent ESA with a Caltrans archaeologist.*
4. **Historical Research:** *The most important goal of the historical research will be to address effects on the cultural landscape of the colony under Criterion A. The additional research would concentrate on exploring previously untapped documentary sources and informants. Unexamined county, state, and federal records will be reviewed in an effort to trace leases, patents, claims, and assessments pertaining to community planning. Historical research will be conducted in order to aid in the identification and dating of materials recovered from excavations.*
5. **Fieldwork:** *Fieldwork will entail additional archaeological survey and excavations designed to recover important data that would be impacted by the project specifically concerning community planning and the colony's metalworking industry. The survey would establish the boundaries, arrangement, and characteristics of uninspected or cursorily surveyed portions of the colony's land. Excavations would focus on those building locations, pit features, and refuse scatters that will be directly impacted by the project and that can specifically address the research questions concerning community planning and the colony's metalworking industry.*
6. **Laboratory Work and Analysis:** *The laboratory work for this study will be completed following the fieldwork. All cultural materials, with the exception of delicate and perishable items, will be cleaned prior to cataloging and sorted by functional categories. Artifacts will be studied to see if they were temporally diagnostic. Although the occupation of Llano was brief, detailed information on the production dates for materials are crucial for the interpretation of the issues relating to community planning and the colony's metalworking industry. Other materials may be very closely dated and these items can help reconstruct the sequencing of colony development.*
7. **Public Involvement and Interpretation:** *The data recovery that will be undertaken for the public benefit to recover information that would otherwise be lost as a result of project impacts to the Llano del Rio Colony site. The results from the field investigation would be interpreted to public and professional audiences in a technical report, public report and possibly a museum exhibit.*
8. **Personnel and Schedule:** *The historical and archaeological work will be conducted under the direct supervision of professional/s who meet the Secretary of the Interior qualifications in the appropriate disciplines.*

SOCIOECONOMICS

Adverse Environmental Effect: The project accommodates, and may even expedite, planned growth in the project area. As such, the project would be considered growth inducing.

Findings: Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts: State and local laws give authority to local governments for land use zoning decisions, planning and management. It is beyond Caltrans extent to mitigate potential land use and growth inducement impacts of the proposed transportation improvements. Also, this project complies with state, regional, and local plans and policies, including:

- City of Palmdale General Plan
- Antelope Valley Areawide General Plan a component of the Los Angeles County General Plan
- the State Transportation Improvement Program (STIP) and the Interregional Transportation Improvement (ITIP)

The Statement of Overriding Considerations, *infra*, includes further statements of specific economic, social, and other considerations which support adoption of the subject project instead of the identified alternatives to the project.

CALIFORNIA TRANSPORTATION COMMISSION

**Resolution For Adoption of Findings For Future Consideration of Funding
7-LA-138 51.4/69.4
Resolution E-01-28**

- 1.1 **WHEREAS**, an Environmental Impact Report has been prepared for a project to widen Route 138 to 4 lanes in the City of Palmdale and the communities of Littlerock, Pearblossom and Llano, in Los Angeles County, and
- 1.2 **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed in compliance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines for its implementation; and
- 1.3 **WHEREAS**, the California Transportation Commission has reviewed and considered the information contained in the Environmental Impact Report; and
- 1.4 **WHEREAS**, written proposed Findings indicate that changes or alterations have been required in, or incorporated into the project which mitigate or avoid the significant effects identified in the Environmental Impact Report and associated with biological, cultural resources and socioeconomics.
- 2.1 **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby adopt those Findings to allow for future consideration of funding.