

Chapter 4 Comments and Coordination

Early and continuing coordination with the general public and public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation and the level of analysis required and to identify potential impacts and avoidance, minimization, and/or mitigation measures and related environmental requirements. 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 consultation with interested parties. This chapter summarizes the results of the Caltrans efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

4.1 Notice of Initiation of Studies

On June 7, 2018, OCTA, in partnership with Caltrans, hosted a Public Information Meeting for the proposed SR 55 Improvement Project between I-5 and SR 91. The meeting was hosted from 6:00 to 8:00 p.m. at Grijalva Park Sports Center located at 368 North Prospect Avenue in the city of Orange. The purpose of the meeting was to inform the public about the proposed project, provide a forum to discuss the project, and educate participants on how to stay informed about the project. Public noticing for the Public Information Meeting occurred through multiple communication channels, including:

- An advertisement published in the *Orange County Register* and *Excelsior* newspapers
- Boosted posts posted to and paid for on Facebook (@SR55) and Twitter (@SR55Project)
- 15,551 postcards mailed to all occupants, owners, and contacts with addresses within a half-mile of the proposed project
- 10,000 flyers delivered to all addresses within a half-mile of the proposed project
- A project fact sheet and meeting information published on the dedicated project website (www.octa.net/SR55North)
- Email notifications sent to a database of stakeholders maintained by OCTA and to community members who subscribed for email updates through the project website

Approximately 85 people attended the meeting. Additionally, a “Facebook Live” session was also held which transmitted a live video feed to the project Facebook page. A summary of concerns from the meeting are provided below.

- Some respondents own property or homes near the project area, and they would like to know how they may be impacted by the project. One respondent was particularly concerned about the possibility of freeway encroachment on existing sound walls, trees, or housing.
- Some respondents expressed concerns about congestion, noise, and dust from construction phase impacting residents. A few respondents requested noise evaluations for Vista Royale Housing Tract near the SR 55/Lincoln Avenue interchange and adjacent to the SR 55 North to SR 22 West on-ramp.

- Multiple respondents suggested improvements relating to how to prioritize improvements, extending the existing toll/ HOV lane, and specific traffic signal settings that impact intersection congestion.

4.2 Interagency Consultation

The formulation of project alternatives and mitigation has been carried out through a cooperative dialogue among representatives of the following agencies or organizations:

- Orange County Transportation Authority (OCTA)
- City of Tustin
- City of Santa Ana
- City of Orange
- City of Anaheim
- Historical Groups
- California Department of Fish and Wildlife (CDFW)
- Native American Heritage Commission (NAHC)
- Regional Water Quality Control Board (RWQCB)
- State Historic Preservation Office (SHPO)
- Southern California Association of Governments Transportation Conformity Working Group (SCAG TCWG)
- State Water Resources Control Board (SWRCB)
- United States Army Corps of Engineers (USACE)
- United States Fish and Wildlife Service (USFWS)

The following sections summarize the efforts of both Caltrans and OCTA to fully identify, address and resolve project-related issues through early and continuing coordination.

4.2.1 Native American Heritage Coordination

The NAHC was contacted February 1, 2018, to request a search of the SLF and a list of Native American contacts with traditional or historical ties to the project area for consultation under AB 52. In a letter dated February 2, 2018, the NAHC reported that a search of the SLF was completed with negative results. The NAHC provided a list of Native American contacts who should be consulted regarding the project. Documentation on this coordination is provided in the *Historic Property Survey Report* (March 2019).

Letters requesting information about cultural resources in the project area were sent via certified first-class mail to all of the tribal contacts identified by the NAHC on March 14, 2018. Each letter notified the tribe of the proposed project, described the project components, and summarized the investigations being conducted to identify cultural resources within the project APE, including the results of the NAHC SLF search, record search, and cultural resources studies conducted within the APE. Maps of the project location and APE were included. Each letter invited the tribe to participate in consultation for the proposed project. Follow-up phone calls were made to each tribal contact upon confirmation of receipt of the letter. No response was received from 17 of the 19 contacted tribes. Responses were received from two of the tribes: the Viejas Band of Kumeyaay Indians and the Gabrieleno Band of Mission Indians – Kizh Nation.

Summary of coordination with these tribes is provided below. Summary of all consultation with the Native American representatives is summarized in Table 4.2-1. A copy of the NAHC and Native American correspondence is included in Attachment E of the HPSR.

4.2.1.1 Viejas Band of Kumeyaay Indians:

A letter dated March 21, 2018, was received from Ray Teran, Resource Manager, for the Viejas Band of Kumeyaay Indians. The letter states that the project site has little cultural significance or ties to the Tribe. The Tribe requests to be informed of any new developments such as inadvertent discoveries of cultural artifacts, cremation sites, or human remains. Cheryl Sinopoli of Caltrans replied by email on March 28, 2018, acknowledging receipt of the letter and the request to be informed of new discoveries.

4.2.1.2 Gabrieleno Band of Mission Indians – Kizh Nation:

A letter dated April 4, 2018, was received from Andrew Salas, Tribal Chairman of the Gabrieleno Band of Mission Indians – Kizh Nation. The letter states that project is within a sensitive area and may cause a substantial adverse change in the significance of the Tribe's cultural resources; the Tribe requests consultation for the project. Cheryl Sinopoli of Caltrans replied to Chairman Salas by email on April 5, 2018, requesting a date and time to meet to discuss potential concerns. Ms. Sinopoli also provided a copy of the project description, the SLF and records search results, and project location maps.

On April 23, 2018, Chairman Salas responded regarding a different project. No comments about the SR 55 Improvements Project were provided. On April 27, 2018, Ms. Sinopoli attended a field meeting with Chairman Salas for a separate project. The SR 55 Improvements Project was briefly discussed. Chairman Salas indicated that the Lincoln Avenue and I-5/SR 22 locations had concerns for the Tribe and he would check the Tribe's records regarding the Katella Avenue location. He also stated that he would provide additional information. On May 1, 2018, Ms. Sinopoli sent an email to Chairman Salas requesting the additional information mentioned during the field meeting and provided maps of the project APE.

On May 16, 2018, Chairman Salas sent an email to Ms. Sinopoli regarding a resource near the Yorba Cemetery. Ms. Sinopoli responded via email on June 13, 2018, to confirm that the Yorba Cemetery is 3.4 miles away from any proposed ground disturbance associated with the proposed project and that the potential to encounter buried resources within the APE was being assessed. Chairman Salas replied on June 13, 2018, and confirmed that the resource in question is adjacent to, but not within the Yorba Cemetery and confirmed that the resource is about 3 miles away from SR 55. Ms. Sinopoli replied on June 14, 2018, thanking Chairman Salas for the clarification.

On January 15, 2019, Ms. Sinopoli sent an email to Chairman Salas summarizing the results of the archaeological sensitivity analysis and review of as-built drawings. Ms. Sinopoli requested that Chairman Salas contact her if he had any comments or wanted to discuss the project further. No further response has been received from Chairman Salas to date.

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Table 4.2-1: Summary of Native American Consultation

Tribal Group	Date Letter Sent to Tribes via Certified Mail	Date Tribal Response to Letter Received	Date and Results of Follow-up Telephone Calls and/or Emails
Campo Band of Mission Indians Ralph Goff, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Goff. 4/6/2018. An attempt to reach Mr. Goff by phone was unsuccessful. No response to voicemail.
Ewilaapaayp Tribal Office Michael Garcia, Vice Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Garcia. Email bounced back. 3/29/2018. Resent using this email address: wmicklin@leaningrock.net . 4/6/2018. An attempt to reach Mr. Garcia by phone was unsuccessful. No answer.
Ewilaapaayp Tribal Office Robert Pinto, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. No email address for Mr. Pinto. 3/29/2018. Sent using this email address: wmicklin@leaningrock.net as/ Ewilaapaayp website. 4/6/2018. A second follow up email was sent to Mr. Pinto.
Gabrieleno Band of Mission Indians-Kizh Nation Andrew Salas, Chairperson	3/14/2018	4/4/2018. Chairman Andrew Salas responded indicating that the SR 55 project area is within the Gabrieleno Band of Mission Indians-Kizh Nation's ancestral tribal territory and within a sensitive area that may cause a substantial adverse change in the significance of their tribal cultural resources. To avoid adverse effects on any resources, Chairman Salas requested that his tribe be consulted about the SR 55 project.	3/29/2018. A follow up email was sent to Mr. Mr. Salas 4/4/2018. Response letter received with request from the tribe to consult. 4/5/2018. Email from Cheryl Sinopoli (Caltrans) to Chairman Salas providing additional information about the project and requesting a meeting to discuss any potential concerns. 4/23/2018: Follow-up email from Cheryl Sinopoli (Caltrans) to Chairman Salas requesting review of the SR 55 project and attaching the project location maps for reference. 4/23/2018: Response from Chairman Salas to Cheryl Sinopoli (Caltrans) describing the sensitivity of the project area and providing an Internet hyperlink to site information. 4/23/2018: Response from Cheryl Sinopoli (Caltrans) to Chairman Salas acknowledging above email, asking for clarifying information on Chairman Salas email as it seemed to be about a different site, and requesting that Chairman Salas please respond to the correct project location SR 55 EA 0K7200 project. 4/27/2018: Field trip to the project area with Chairman Salas, Charles Baker, Matthew Teutimez. 5/1/2018: Follow-up email from Cheryl Sinopoli (Caltrans) to Chairman Salas regarding the field visit on April 27, 2018, providing additional maps, and requesting information about any project area concerns. 5/16/ 2018: Chairman Salas sent an email to Ms. Sinopoli regarding a resource near the Yorba Cemetery. 6/13/18: Ms. Sinopoli responded via email to confirm that the Yorba Cemetery is 3.4 miles away from the SR 55 project. 6/13/18: Chairman Salas replied and confirmed that the resource in question is about 3 miles away from the SR 55 project. Ms.Sinopoli replied on 6/14/18. Ms. Sinopoli replied thanking Chairman Salas for the clarification. 1/15/2019: Ms. Sinopoli sent an email to Chairman Salas summarizing the results of the archaeological sensitivity analysis and review of as-built drawings, and requested that Chairman Salas contact her with any comments. No further response has been received from Chairman Salas.
Gabrieleno/Tongva San Gabriel Band of Mission Indians Anthony Morales, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Morales. 4/6/2018. A second follow up email was sent to Mr. Morales.

Tribal Group	Date Letter Sent to Tribes via Certified Mail	Date Tribal Response to Letter Received	Date and Results of Follow-up Telephone Calls and/or Emails
Gabrieleno/Tongva Nation Sandonne Goad, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Ms. Goad. 4/6/2018. A second follow up email was sent to Ms. Goad.
Gabrieleno Tongva Indians of California Tribal Council Robert Dorame, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Dorame. 4/6/2018. A second follow up email was sent to Mr. Dorame.
Gabrieleno-Tongva Tribe Charles Alvarez	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Alvarez. 4/6/2018. A second follow up email was sent to Mr. Alvarez.
Jamul Indian Village Erica Pinto, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. No email address for Ms. Pinto.3/29/2018. Sent using this email address: info@jamulindianvillage.com4/6/2018. An attempt to reach Ms. Pinto by phone was unsuccessful. No answer.
Juaneno Band of Mission Indians Sonia Johnston, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Ms. Johnston. 3/30/2018. Hardcopy sent by certified mail not picked up at USPO by tribe; digital copy sent on this date to ensure access to the information. 4/6/2018. A third follow up email was sent to Ms. Johnston.
Juaneno Band of Mission Indians Acjachemen Nation – Belardes Matias Belardes, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. No email address for Mr. Belardes. 3/29/2018. Sent using this email address: webmaster@juaneno.com as/Acjachemen Nation website. 3/30/2018. Hardcopy sent by certified mail not picked up at USPO by tribe; digital copy sent on this date to ensure access to the information. 4/6/2018. A third follow up email was sent to Mr. Belardes.
Juaneno Band of Mission Indians Acjachemen Nation – Romero Teresa Romero, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Ms. Romero. 4/6/2018. A second follow up email was sent to Ms. Romero.
La Posta Band of Mission Indians Gwendolyn Parada, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Ms. Parada. 4/6/2018. A second follow up email was sent to Ms. Parada.
La Posta Band of Mission Indians Javaughn Miller, Tribal Administrator	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Miller. 4/6/2018. A second follow up email was sent to Mr. Miller.
Manzanita Band of Kumeyaay Nation Angela Elliott Santos, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. No email address for Ms. Santos. 3/29/2018. No valid email address; called no answer. 4/6/2018. An attempt to reach Ms. Santos by phone was unsuccessful. No answer.

Tribal Group	Date Letter Sent to Tribes via Certified Mail	Date Tribal Response to Letter Received	Date and Results of Follow-up Telephone Calls and/or Emails
San Fernando Band of Mission Indians John Valenzuela, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Valenzuela. 3/30/2018. Original hardcopy sent by certified mail not picked up at USPO by tribe; digital copy sent on this date to ensure access to the information. 4/6/2018. A third follow up email was sent to Mr. Valenzuela.
San Pasqual Band of Mission Indians Allen E. Lawson, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Lawson. 4/6/2018. A second follow up email was sent to Mr. Lawson.
Sycuan Band of the Kumeyaay Nation Cody J. Martinez, Chairperson	3/14/2018	4/16/2018. No response received.	3/29/2018. A follow up email was sent to Mr. Martinez. Email bounced back. 3/29/2018. No valid email address. Called no answer. 4/6/2018. An attempt to reach Mr. Martinez by phone was unsuccessful. No response to voicemail.
Viejas Band of Kumeyaay Indians Robert Welch, Chairperson	3/14/2018	3/21/2018: Mr. Ray Teran, Resource Manager responded indicating that the Viejas Band of Kumeyaay Indians had reviewed the proposed project and determined that the project site has little cultural significance or ties to the Viejas. The Viejas recommended that tribes closest to the cultural resources [project site] be contacted. The Viejas also requested to be informed of any new developments, including inadvertent discovery of cultural artifacts, cremation sites, or human remains in order for them to reevaluate consultation participation.	3/21/2017. Consultation complete.

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4.2.2 Local Governments

Letters requesting information on cultural resources were sent to relevant local governments via United States Postal Service (USPS) on January 26, 2018. Two rounds of follow-up phone calls and/or emails were placed on June 13, 2018, and July 18, 2018.

Local governments contacted were:

- Planning & Zoning Department, 200 Anaheim Boulevard, Anaheim
- Planning and Building Agency, 20 Civic Center Plaza, Santa Ana
- Planning Division, 300 East Chapman Avenue, Orange
- Planning and Zoning Division, 300 Centennial Way, Tustin
- Orange County Planning Department, 300 North Flower Street, Santa Ana

The City of Orange provided maps of potential cultural and pre-historic archaeological resources and information on the town of Olive on January 30, 2018 (see Attachment F of the HPSR).

4.2.3 Local Historical Society/Historic Preservation Groups

Letters requesting information on cultural resources were sent to relevant local historical society/historic preservation groups via USPS on January 26, 2018. Two rounds of follow-up phone calls and/or emails were placed on June 13, 2018, and July 18, 2018. Organizations contacted included:

- Anaheim Central Public Library, 500 West Broadway, Anaheim
- Anaheim Historical Society, P.O. Box 927, Anaheim
- Santa Ana Public Library, 26 Civic Center Plaza, Santa Ana
- Santa Ana Historical Preservation Society, 120 West Civic Center Drive, Santa Ana
- Orange Public Library, 407 East Chapman Avenue, Orange
- Orange Community Historical Society, P.O. Box 5484, Orange
- Orange County Public Library (Tustin branch), 345 East Main Street, Tustin
- Tustin Area Historical Society and Museum, 395 El Camino Real, Tustin
- Orange County Historical Society, P.O. Box 10984, Santa Ana

The Anaheim Historical Society provided information on three listed historical resources and eight potential historical resources near the APE. Voicemails were left for most agencies, although representatives at the City of Tustin Planning and Zoning Division, Tustin Branch Library, City of Santa Ana Planning and Building Agency, Santa Ana Public Library, and Anaheim Central Public Library did not have any comments or input regarding cultural resources. No known cultural resources located within the APE were identified as a result of this public participation process (see Attachment F of the HSPR).

4.2.4 State Historic Preservation Officer

As assigned by the FHWA, Caltrans has determined that properties within the APE evaluated as a result of this project are **eligible** for inclusion in the NRHP and/or as CHLs. Under Section 106 PA Stipulation VIII.C.6 (Caltrans 2015a) and as applicable PRC 5024 MOU Stipulation

VIII.C.6, Caltrans requests SHPO's concurrence in this determination. Pursuant to PRC 5024(d), Caltrans also requests that SHPO add these resources to the Master List of Historical Resources. Caltrans, pursuant to Section 106 PA Stipulation IX.A and as applicable PRC 5024 MOU Stipulation IX.A.2, has determined a Finding of No Historic Properties Affected is appropriate for this undertaking because no historic properties within the APE will be affected. Under the Section 106 PA Stipulation VIII.C, Caltrans requested and SHPOs concurred on this eligibility determination that 14841 Yorba Street in Tustin, California, is eligible for the NRHP under Criterion C but they do not have sufficient contextual information at this time to comment on the property's eligibility under Criterion B; and that 14891 Yorba Street in Tustin is eligible for the NRHP under Criterion C but they do not have sufficient contextual information at this time to comment on the property's eligibility under Criterion A. The following three properties, 730, 741, and 750 West First Street in Tustin, are not eligible for the NRHP. SHPO concurrence was received on April 30, 2019.



DEPARTMENT OF PARKS AND RECREATION OFFICE OF HISTORIC PRESERVATION
Julianne Polanco, State Historic Preservation Officer Lisa Ann L. Mangat, Director
1725 23rd Street, Suite 100, Sacramento, CA 95816-7100
Telephone: (916) 445-7000 FAX: (916) 445-7053
calshpo.ohp@parks.ca.gov www.ohp.parks.ca.gov

April 30, 2019

VIA EMAIL

In reply refer to: FHWA_2019_0404_001

Mr. Charles Baker, Environmental Analysis – Specialist Branch Chief
Caltrans District 12
1750 East Fourth Street, Suite 100
Santa Ana, CA 92705

Subject: Determination of Eligibility for the Proposed SR-55 Improvement Project
between I-5 and SR-91, Orange County, CA

Dear Mr. Baker:

Caltrans is initiating consultation for the above project in accordance with the January 1, 2014 *First Amended Programmatic Agreement Among the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*. As part of your documentation, Caltrans submitted a Historic Property Survey Report (HPSR), Historic Resources Evaluation Report (HRER), and Archaeological Survey Report (ASR) for the proposed project.

Caltrans, in cooperation with the Orange County Transportation Authority, proposes to improve SR 55 from just north of I-5 to just south of SR 91 within the Cities of Anaheim, Santa Ana, Orange and Tustin. A full description of the project and area of potential effect (APE) is located on pages 1-2 of the HPSR.

Pursuant to Stipulation VIII.C.6 of the PA, Caltrans determined that the following properties are not eligible for the National Register of Historic Places (NRHP):

- 730 W 1st Street, Tustin, CA
- 741 W 1st Street, Tustin, CA
- 750 W 1st Street, Tustin, CA

Pursuant to Stipulation VIII.C.6 of the PA Caltrans also found that following properties are eligible for the NRHP for the reasons stated below:

- 14841 Yorba Street, Tustin, CA – Caltrans found this property eligible under Criteria B and C. Under Criterion B the property is significant for its association with early rancher Oakes B. Newcom and his wife Daisy with a period of

significance of 1924. Under Criterion C, the property is a notable example of the Colonial Revival style in Tustin.


- 14891 Yorba Street, Tustin, CA – Caltrans found this property eligible under Criterion A and C. Under Criterion A the property is significant for its association with the citrus industry in Orange County. Under Criterion C, the property is a notable example of the Spanish Colonial Revival style in Tustin. The period of significance is 1930.

Based on review of the submitted documentation, I have the following comments:

- I concur that 730, 741 and 750 W 1st Street in Tustin are not eligible for the NRHP.
- I concur that 14841 Yorba Street in Tustin is eligible for the NRHP under Criterion C. I do not have sufficient contextual information at this time to comment on the property's eligibility under Criterion B.
- I concur that 14891 Yorba Street in Tustin is eligible for the NRHP under Criterion C. I do not have sufficient contextual information at this time to comment on the property's eligibility under Criterion A.

If you have any questions, please contact Natalie Lindquist at (916) 445-7014 with e-mail at natalie.lindquist@parks.ca.gov or Alicia Perez at (916) 445-7020 with e-mail at alicia.perez@parks.ca.gov.

Sincerely,



Julianne Polanco
State Historic Preservation Officer

4.2.5 Transportation Conformity Working Group

The proposed project was submitted to stakeholders at the TCWG meeting on May 22, 2018, pursuant to the Interagency Consultation requirement of 40 CFR 93.105 (c)(1)(i). U.S. EPA, FHWA, Caltrans, California ARB, SCAQMD, and other interagency consultation participants concurred that the project is not a POAQC under 40 CFR 93.123(b)(1) regarding POAQC determination. The project is not considered a POAQC because it does not meet the definition as defined in U.S. EPA's Transportation Conformity Guidance. TCWG meeting notes are provided following this section.

The project is listed in the 2016–2040 financially constrained RTP/SCS which was found by the SCAG to conform on April 7, 2016; and FHWA and FTA made a regional conformity determination finding on June 2, 2016. The project is also included in the SCAG financially constrained 2019 FTIP, page 2 of the Orange County Project Listing for State Highways. The SCAG 2019 FTIP was determined to conform by FHWA and FTA on December 17, 2018. The design concept and scope of the project is consistent with the project description in the 2016–2040 RTP/SCS, 2019 FTIP (SCAG 2018), and the open to traffic assumptions of the SCAG regional emissions analysis.

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**TRANSPORTATION CONFORMITY WORKING GROUP
of the
SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**May 22, 2018
Minutes**

The following minutes are a summary of the meeting of the transportation conformity working group. A digital recording of the actual meeting is available for listening in SCAG's office.

The Meeting of the Transportation Conformity Working Group was held at the SCAG office in Los Angeles.

Attendees

In Attendance:

Huddleston, Lori - Metro
Morris, Michael - FHWA

SCAG:

Asuncion, John Luo, Rongsheng Ng, Emily

Via Teleconference:

Behtash, Arman - Caltrans District 12
Cacatian, Ben - VCAPCD
Kalandiyur, Nesamani - ARB
Kulkarni, Anup - OCTA
Lau, Charles - Caltrans District 7
Lugaro, Julie - Caltrans District 12
Masters, Martha - RCTC
Mortenson, Marilee - Caltrans Headquarters
O'Connor, Karina - EPA Region 9
Sanchez, Lucas - Caltrans Headquarters
Sheehy, Erin - OCTA
Sherwood, Arnold - UCB
Silverman, Sam - Terry A. Hayes Associates
Sun, Lijin - SCAQMD
Vaughn, Joseph - FHWA
Walecka, Carla - TCA
Walsh, Jason - Jacobs
Yoon, Andrew - Caltrans District 7

1.0 Call to Order and Self-Introduction

Lori Huddleston, TCWG Chair, called the meeting to order at 10:05 am.

2.0 Public Comment Period

None.

3.0 Consent Calendar

March 27, 2018 TCWG Meeting Minutes The meeting minutes were approved.

April 24, 2018 TCWG Meeting Minutes

The meeting minutes were deferred to the next TCWG meeting.

4.0 Information Items

4.1 Review of PM Hot Spot Interagency Review Form

1. ORA2121002 (FTIP Project ID: ORA131301)

It was determined that this is not a POAQC.

At the request of Carla Walecka, TCA, below is a summary of next steps including rationales that the project needs to follow in order to receive final project-level conformity determination and NEPA approval based on TCWG discussion at the meeting and information provided by Lucas Sanchez, Caltrans Headquarters, after the meeting:

- PM hot spot interagency review is only one component of project-level conformity requirements. A non-exempt project cannot have final NEPA approval (CE, FONSI, ROD) until the project appears in both conforming TIP and RTP. The project is included in SCAG's 2016 RTP/SCS and 2017 FTIP but as an environmental and engineering project only. Some phase of work beyond environmental document must be programmed in TIP before NEPA document can be finalized, consistent with delivery (open to traffic) in RTP conformity analysis period where it's currently assumed. For projects that have long development periods, TIP may include only right of way and design work, with construction to come later (TIPs usually only include next 4-5 years of work), but work shown must be consistent with eventually delivering the project "on time" per conformity analysis period in which it's to be open. FHWA will not sign a conformity determination for a Section 327 project unless that kind of TIP and RTP listing exists, and without it Caltrans cannot sign a final NEPA action. Therefore, Caltrans District 12 staff will work with OCTA staff to properly program the project in the conforming TIP so that project schedule is consistent with programming.
- If three years would elapse since most recent major step to advance the project, project-level conformity will need to be re-determined for the project. According to EPA's Transportation Conformity Regulations, major steps include "NEPA process completion; start of final design; acquisition of a significant portion of the right-of-way; and, construction (including Federal approval of plans, specifications and estimates)." Project-level conformity also must be re-determined for any FHWA/FTA project upon a significant change in project's design concept and scope, or initiation of a supplemental environmental document for air quality purposes. As part of the project-level conformity

re-determination, the project would need to be brought back to TCWG again for interagency review to re-affirm that it remains a POAQC.

- A conformity determination by FHWA and eventual NEPA approval by Caltrans is required for the project to move forward towards implementation.

2. LALS04

It was determined that this is not a POAQC.

4.2 OCTA TCM Substitution

Rongsheng Luo, SCAG, reported the following:

- SCAG staff had reviewed OCTA's request to substitute SR-241/91 Express Lanes Connector committed TCM project (FTIP ID: ORA111207) with three traffic signal synchronization projects in Orange County, and concurred that the proposed substitution meets all requirements.
- SCAG staff had subsequently prepared and released a Draft OCTA TCM Substitution Report for a 30-day public review starting on April 30, 2018. After conclusion of public review, all public comments would be incorporated into final TCM substitution analysis as appropriate.
- Final TCM substitution analysis was tentatively scheduled to be presented to SCAG's Energy and Environment Committee in July 2018 for recommendation to SCAG's Regional Council for adoption.
- Upon adoption by Regional Council, final TCM substitution analysis would be submitted to ARB and U.S. EPA for concurrence.
- Adoption by Regional Council and concurrence from ARB and U.S. EPA would rescind original TCM project and new committed TCM measures would become effective.

In response to a questions, Rongsheng Luo, SCAG, stated that ARB and U.S. EPA review usually takes about one to three months.

4.3 FTIP Update

John Asuncion, SCAG, reported the following:

- 2019 FTIP was on schedule for public release by SCAG's Transportation Committee on July 5, 2018, adoption by SCAG's Regional Council in September, state approval in November, and federal approval in mid-December 2018.
- 2017 FTIP Amendments through #17-18 had received all necessary approvals.
- 2017 FTIP Amendment #17-19 was under review for federal approval.
- 2017 FTIP Administrative Modification #17-20 was anticipated to be approved by May 25, 2018.

4.4 RTP Update

John Asuncion, SCAG, reported the following on behalf of Daniel Tran, SCAG:

- SCAG staff was developing Draft 2016 RTP/SCS Amendment #3, following 2019 FTIP schedule.
- SCAG staff would present an overview of 2020 RTP/SCS at a joint meeting of SCAG Policy Committees on June 7, 2018 to officially kick off its development process.

4.5 EPA Update

Karina O'Connor, EPA Region 9, reported the following:

- Mike Stoker, a former County Supervisor of Santa Barbara County in Southern California, is the new Regional Administrator for EPA Region 9.
- Federal Register Notice of final area designations for 2015 Ozone NAAQS was signed on April 30, 2018 and would be published soon.
- EPA did not yet have guidance on implementation of 1997 ozone standards in response to U.S. Court of Appeals for the District of Columbia Circuit's recent decision striking down portions of EPA's 2008 Ozone NAAQS SIP Requirements Rule. It did not seem that the Court ruling would impact any areas in SCAG region.

4.6 ARB Update

Nesamani Kalandiyur, ARB, reported the following:

- ARB Board was scheduled to consider adoption of Imperial County PM_{2.5} SIP for 2012 Annual PM_{2.5} NAAQS on May 25, 2018.
- Transportation conformity budgets in the Imperial County PM_{2.5} SIP had been developed collaboratively among Imperial County Air District, ARB, and SCAG and also in consultation with U.S. EPA staff. The budgets were developed with SCAG's travel activity data and EMFAC2014 covering on-road mobile sources for calendar years 2019 and 2022.
- EMFAC2017 had been updated and released early this year and also underwent a minor revision in March 2018. EMFAC2017 was planned to be submitted to

U.S. EPA in next few weeks. EMFAC web database also had been updated for generating EMFAC2017 results with default travel activity data.

4.7 Air Districts Update

Ben Cacatian, VCAPCD, reported that VCAPCD staff would meet with U.S. EPA staff soon to start discussing aspects of Ventura County 2016 Ozone SIP submittal for 2008 ozone NAAQS.

5.0 Information Sharing

Lijin Sun, SCAQMD, announced that she would be on an extended leave from June 15 through end of 2018. A newly hired SCAQMD staff would participate in TCWG meetings for remainder of 2018.

Rongsheng Luo, SCAG, announced and welcomed new SCAG intern Emily Ng and returning intern Amina Karwa who would assist in future TCWG meetings.

6.0 Adjournment

The meeting was adjourned at 10:45 am. The next Transportation Conformity Working Group meeting will be held on Tuesday, June 26, 2018 at the SCAG main office in downtown Los Angeles.

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4.2.6 United States Fish and Wildlife Service

An official species list was requested from the USFWS on June 4, 2019. The species list provided information about the threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur in the vicinity of a proposed project. The species list provided by USFWS follows this section.

4.2.7 National Marine Fisheries/National Oceanic and Atmospheric Administration

An official species list was requested from the NMFS on September 5, 2019. The species list provided information about the threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur in the vicinity of a proposed project. The species list provided by NFMS follows this section.

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Carlsbad Fish And Wildlife

Office 2177 Salk Avenue -

Suite 250

Carlsbad, CA 92008-7385

Phone: (760) 431-9440 Fax: (760) 431-5901

<http://www.fws.gov/carlsbad/>



In Reply Refer To:

Consultation Code: 08ECAR00-2019-SLI-1058 Event Code: 08ECAR00-2019-E-02423

Project Name: SR-55 Improvement Project

June 04, 2019

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the

human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

Official Species List

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish and Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385

(760) 431-9440

Project Summary

Consultation Code: 08ECAR00-2019-SLI-1058

Event Code: 08ECAR00-2019-E-02423

Project Name: SR-55 Improvement Project

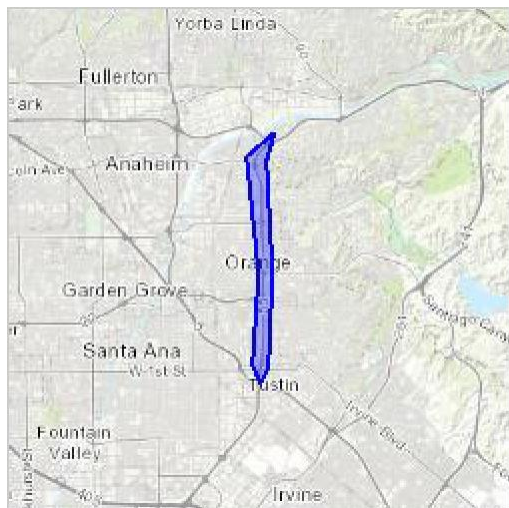
Project Type: TRANSPORTATION

Project Description: The proposed Project extends along SR-55 from Postmile (PM) 10.4 to PM 17.9, with the total length of the Project approximately 7.5 miles, within Orange County, California, located on the Tustin and Orange USGS 7.5' quadrangle maps. The proposed Project adds general purpose and auxiliary lanes in each direction at strategic locations along SR-55 between just north of the I-5/SR-55 interchange and just south of the

SR-55/SR-91 interchange. Reconstruction of bridge structures, retaining walls and sound barriers would be required. Additional freeway drainage inlets may be required, and water quality best management practices (BMPs) would be incorporated. The proposed Project would not require any new right-of-way (ROW) or temporary construction easements (TCE). Anticipated construction is from June 2032 through June 2035.

Project Location:

Approximate location of the project can be viewed in [Google Maps](#).



Counties: Orange, CA

Endangered Species Act Species

There is a total of 10 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries,¹ as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

¹ [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

Pacific Pocket Mouse (*Perognathus longimembris pacificus*)

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/8080>

Status: Endangered

Birds

California Least Tern (*Sterna antillarum browni*)

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/8104>

Status: Threatened

Coastal California Gnatcatcher (*Polioptila californica californica*)

There is final critical habitat for this species. Your location is outside the critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/8178>

Status: Endangered

Least Bell's Vireo (*Vireo bellii pusillus*)

There is final critical habitat for this species. Your location is outside the critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/5945>

Status: Endangered

Light-footed Clapper Rail (*Rallus longirostris levipes*)

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/6035>

Status: Endangered

Southwestern Willow Flycatcher (*Empidonax traillii extimus*)

There is final critical habitat for this species. Your location is outside the critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/6749>

Status: Endangered

Western Snowy Plover (*Charadrius nivosus nivosus*)

Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast)

There is final critical habitat for this species. Your location is outside the critical habitat.

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

Status: Threatened

Fishes

Santa Ana Sucker (*Catostomus santaanae*)

Population: 3 CA river basins

There is final critical habitat for this species. Your location is outside the critical habitat.

Species profile: <https://ecos.fws.gov/ecp/species/3785>

Status: Threatened

Flowering Plants

Big-leaved Crownbeard (*Verbesina dissita*)

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/8049>

Status: Threatened

Laguna Beach Liveforever (*Dudleya stolonifera*)

No critical habitat has been designated for this species.

Species profile: <https://ecos.fws.gov/ecp/species/7919>

Status: Threatened

Critical habitats

There are no critical habitats within your project area under this office's jurisdiction.

From: Wilkinson, Jessica
Sent: Thursday, September 05, 2019 15:24
To: 'nmfswcrca.specieslist@noaa.gov' <nmfswcrca.specieslist@noaa.gov>
Subject: California Dept of Transportation District 12; State Route 55 Improvement Project

To whom it may concern:

I am requesting concurrence on our search results for the proposed State Route 55 Improvement Project between Interstate 5 and State Route 91.

I will be the point-of-contact on behalf of Caltrans District 12 and here's my contact information:

Jessica Wilkinson, Jacobs Engineering
Jessica.Wilkinson@jacobs.com
Mobile Phone: (562) 884-6514
Address: 2600 Michelson Drive, Suite 500, Irvine, California 92612

Search Results:

Quad Name: **Orange**
Quad Number: **33117-G7**

ESA Anadromous Fish

SONCC Coho ESU (T) -
CCC Coho ESU (E) -
CC Chinook Salmon ESU (T) -
CVSR Chinook Salmon ESU (T) -
SRWR Chinook Salmon ESU (E) -
NC Steelhead DPS (T) -
CCC Steelhead DPS (T) -
SCCC Steelhead DPS (T) -
SC Steelhead DPS (E) - **X**
CCV Steelhead DPS (T) -
Eulachon (T) -
sDPS Green Sturgeon (T) -

ESA Anadromous Fish Critical Habitat

SONCC Coho Critical Habitat -
CCC Coho Critical Habitat -
CC Chinook Salmon Critical Habitat -
CVSR Chinook Salmon Critical Habitat -
SRWR Chinook Salmon Critical Habitat -
NC Steelhead Critical Habitat -
CCC Steelhead Critical Habitat -
SCCC Steelhead Critical Habitat -
SC Steelhead Critical Habitat -
CCV Steelhead Critical Habitat -
Eulachon Critical Habitat -
sDPS Green Sturgeon Critical Habitat -

ESA Marine Invertebrates

Range Black Abalone (E) -

Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -

Olive Ridley Sea Turtle (T/E) -

Leatherback Sea Turtle (E) -

North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -

Fin Whale (E) -

Humpback Whale (E) -

Southern Resident Killer Whale (E) -

North Pacific Right Whale (E) -

Sei Whale (E) -

Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -

Steller Sea Lion Critical Habitat -

Essential Fish Habitat

Coho EFH -

Chinook Salmon EFH -

Groundfish EFH -

Coastal Pelagics EFH -

Highly Migratory Species EFH -

MMPA Species

(See list at left)

ESA and MMPA Cetaceans/Pinnipeds

See list at left and consult the NMFS Long Beach office
562-980-4000

MMPA Cetaceans -

MMPA Pinnipeds -

Quad Name: **Tustin**
Quad Number: **33117-F7**

ESA Anadromous Fish

SONCC Coho ESU (T) -
CCC Coho ESU (E) -
CC Chinook Salmon ESU (T) -
CVSR Chinook Salmon ESU (T) -
SRWR Chinook Salmon ESU (E) -
NC Steelhead DPS (T) -
CCC Steelhead DPS (T) -
SCCC Steelhead DPS (T) -
SC Steelhead DPS (E) - **X**
CCV Steelhead DPS (T) -
Eulachon (T) -
sDPS Green Sturgeon (T) -

ESA Anadromous Fish Critical Habitat

SONCC Coho Critical Habitat -
CCC Coho Critical Habitat -
CC Chinook Salmon Critical Habitat -
CVSR Chinook Salmon Critical Habitat -
SRWR Chinook Salmon Critical Habitat -
NC Steelhead Critical Habitat -
CCC Steelhead Critical Habitat -
SCCC Steelhead Critical Habitat -
SC Steelhead Critical Habitat -
CCV Steelhead Critical Habitat -
Eulachon Critical Habitat -
sDPS Green Sturgeon Critical Habitat -

ESA Marine Invertebrates

Range Black Abalone (E) -
Range White Abalone (E) -

ESA Marine Invertebrates Critical Habitat

Black Abalone Critical Habitat -

ESA Sea Turtles

East Pacific Green Sea Turtle (T) -
Olive Ridley Sea Turtle (T/E) -
Leatherback Sea Turtle (E) -
North Pacific Loggerhead Sea Turtle (E) -

ESA Whales

Blue Whale (E) -
Fin Whale (E) -
Humpback Whale (E) -
Southern Resident Killer Whale (E) -
North Pacific Right Whale (E) -
Sei Whale (E) -
Sperm Whale (E) -

ESA Pinnipeds

Guadalupe Fur Seal (T) -
Steller Sea Lion Critical Habitat -

Essential Fish Habitat

Coho EFH -
Chinook Salmon EFH -
Groundfish EFH -
Coastal Pelagics EFH -
Highly Migratory Species EFH -

MMPA Species

(See list at left)

ESA and MMPA Cetaceans/Pinnipeds

See list at left and consult the NMFS Long Beach office
562-980-4000

MMPA Cetaceans -
MMPA Pinnipeds -

Thank you!

Jessica C. Wilkinson | JACOBS | Senior Environmental Planner | +1 (949) 404-2104 | mob.+1
(562) 884-6514 | Jessica.Wilkinson@Jacobs.com | www.jacobs.com

4.3 Community Outreach and Public Involvement

4.3.1 Project Development Team

The cities of Tustin, Santa Ana, Orange, and Anaheim participate in the regular PDT meetings conducted by OCTA and Caltrans for the SR 55 Improvement Project. The PDT meetings cover a wide range of topics related to the proposed project, including development and evaluation of alternatives, engineering consideration, environmental issues and the environmental document and documentation process.

4.3.2 Orange County Transportation Authority Project Website

The OCTA Maintains a [webpage](#) that provides information to the public regarding the proposed SR 55 project and the status of the environmental document and the environmental documentation process for the project.

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