

California Department of Transportation

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May 17, 2021

Governor's Office of Planning & Research

May 17 2021

STATE CLEARINGHOUSE

Ms. Shannon Harker
City of Carlsbad
1635 Faraday Ave
Carlsbad, CA 92008

11-SD-5
PM R47.3
Chick-Fil-A
MND/SCH#2021040447

Dear Ms. Harker:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Mitigated Negative Declaration (MND) for the Chick-Fil-A located near Interstate 5 (I-5). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Design

- Future "Caltrans Temporary Construction Easement" area is correctly identified on Exhibit 2-3 (Conceptual Site Plan). Two doors on the east side of the main building might not be usable when the easement area is in use during construction.

Hydrology and Drainage Studies

All the storm water from the proposed project will need to flow to Avenida Encinas as it is in the existing condition.

Noise

The applicant must be informed that in accordance with 23 Code of Federal Regulations (CFR) 772, the Department of Transportation (Caltrans) is not responsible for existing or future traffic noise impacts associated with the existing configuration of I-5.

Glare

Caltrans would want to ensure that all lighting, including reflected sunlight and reflected night lighting, within this project should be placed and/or shielded so as not to be hazardous to vehicles traveling on I-5.

Environmental

Caltrans welcomes the opportunity to be a Responsible Agency under the California Environmental Quality Act (CEQA), as we have some discretionary authority of a portion of the project that is in Caltrans' R/W through the form of an encroachment permit process. We look forward to the coordination of our efforts to ensure that Caltrans can adopt the alternative and/or mitigation measure for our R/W. We would appreciate meeting with you to discuss the elements of the MND that Caltrans will use for our subsequent environmental compliance.

An encroachment permit will be required for any work within the Caltrans' R/W prior to construction. As part of the encroachment permit process, the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determination or exemption. The supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures.

We recommend that this project specifically identifies and assesses potential impacts caused by the project or impacts from mitigation efforts that occur within Caltrans' R/W that includes impacts to the natural environment, infrastructure including but not limited to highways, roadways, structures, intelligent transportation systems elements, on-ramps and off-ramps, and appurtenant features including but not limited to lighting, signage, drainage, guardrail, slopes and landscaping. Caltrans is interested in any additional mitigation measures identified for the MND.

Right-of-Way

- Per Business and Profession Code 8771, perpetuation of survey monuments by a licensed land surveyor is required, if they are being destroyed by any construction.
- Any work performed within Caltrans' R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans' R/W prior to construction.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158 or by visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Kimberly Dodson, IGR Coordinator, at (619) 985-1587 or by e-mail sent to Kimberly.Dodson@dot.ca.gov.

Sincerely,

Kimberly D. Dodson, M. Eng, GISP

for

MAURICE A. EATON
Branch Chief
Local Development and Intergovernmental Review