

## California Department of Transportation

DISTRICT 11  
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February 24, 2025

11-SD -75

PM 11.235

Bayside Community Resiliency: The Living Levee Project

NOP/SCH#2025010753

Ms. Meagan Openshaw  
Community Development Director  
Community Development Department  
City of Imperial Beach  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932

Dear Ms. Openshaw:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation (NOP) for the Bayside Community Resiliency: The Living Levee Project Environmental Impact Report (EIR) located adjacent to State Route 75 (SR-75) near Imperial Beach. The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. The Local Development Review (LDR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Safety is one of Caltrans' strategic goals. Caltrans strives to make the year 2050 the first year without a single death or serious injury on California's roads. We are striving for more equitable outcomes for the transportation network's diverse users. To achieve these ambitious goals, we will pursue meaningful collaboration with our partners. We encourage the implementation of new technologies, innovations, and best practices that will enhance the safety on the transportation network. These pursuits are both ambitious and urgent, and their accomplishment involves a focused departure from the status quo as we continue to institutionalize safety in all our work.

Caltrans is committed to prioritizing projects that are equitable and provide meaningful benefits to historically underserved communities, to ultimately improve transportation accessibility and quality of life for people in the communities we serve.

We look forward to working with the City of Imperial Beach in areas where the City and Caltrans have joint jurisdiction to improve the transportation network and connections between various modes of travel, with the goal of improving the experience of those who use the transportation system.

Caltrans has the following comments:

### **Hydrology and Drainage Studies**

- Please provide hydraulics studies, drainage, and grading plans to Caltrans for review.
- Provide a pre- and post-development hydraulics and hydrology study. Show drainage configurations and patterns.
- Provide a contour grading plan with legible callouts. Show drainage patterns.
- On all plans, show Caltrans' Right-of-Way (R/W), SR-75 centerline, and stationing.
- Early coordination with Caltrans is recommended. Caltrans generally does not allow development projects to impact hydraulics within the State's R/W. Any modification to the existing Caltrans drainage and/or increase in runoff to State facilities will not be allowed.
- The proposed project features may significantly alter the Federal Emergency Management Agency (FEMA) defined Floodplain and associated water surface elevations through the project area and have potential adverse impacts to the State Route 75 facilities. Caltrans requests that the City of Imperial beach, acting as the Local FEMA Administrator, include Caltrans in reviews of all submittals to the Development Services Department regarding floodplain administration and allow for Caltrans to comment prior to the Conditional Letter of Map Revision (CLOMR) application or the Permit issue, to assure that Caltrans' assets are not adversely impacted by any change in the water surface elevation resulting from this project.
- Per 44 CFR §65.12, Caltrans requests that a formal notification be sent when the City of Imperial Beach approves the permit to alter the floodplain and/or when the Developer applies for the Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR).

### **Complete Streets and Mobility Network**

Caltrans views all transportation improvements as opportunities to improve safety, access and mobility for all travelers in California and recognizes bicycle, pedestrian and transit modes as integral elements of the transportation network. Caltrans supports improved transit accommodation through the provision of Park and Ride facilities, improved bicycle and pedestrian access and safety improvements, signal prioritization for transit, bus on shoulders, ramp improvements, or other enhancements that promotes a complete and integrated transportation network. Early coordination

with Caltrans, in locations that may affect both Caltrans and the City of Imperial Beach is encouraged.

To reduce greenhouse gas emissions and achieve California's Climate Change target, Caltrans is implementing Complete Streets and Climate Change policies into State Highway Operations and Protection Program (SHOPP) projects to meet multi-modal mobility needs. Caltrans looks forward to working with the City to evaluate potential Complete Streets projects.

Bicycle, pedestrian, and public transit access during construction is important. Mitigation to maintain bicycle, pedestrian, and public transit access during construction is in accordance with Caltrans' goals and policies.

### **Hauling/Traffic Control Plan**

Caltrans has discretionary authority with respect to highways under its jurisdiction and may, upon application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway network. Additional information is provided online at: <http://www.dot.ca.gov/trafficops/permits/index.html>

A Traffic Control Plan is to be submitted to Caltrans District 11, including SR-75, the Silver Strand Highway, at least 30 days prior to the start of any construction. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during closures, including routes and signage.

Potential impacts to the highway facilities (SR-75) and traveling public from the detour, demolition and other construction activities should be discussed and addressed before work begins.

### **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 Environmental Document that Caltrans will use for our subsequent environmental compliance.

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 (highways/roadways/on- and off-ramps) and appurtenant features (lighting/signs/guardrail/slopes). This supports the encroachment permit process noted above that the applicant must provide approved final environmental documents for this project, corresponding technical studies, and necessary regulatory and resource agency permits. Specifically, CEQA determinations or exemptions. Caltrans will be seeking to adopt the alternative and/or mitigation measure effecting State R/W in our subsequent environmental documentation. These supporting documents must address all environmental impacts within the Caltrans' R/W and address any impacts from avoidance and/or mitigation measures. Caltrans is interested in the analysis for any work identified in Caltrans' R/W and any additional mitigation measures identified for the draft environmental document.

Caltrans is interested in the analysis for resources listed in the EIR that are contained within Caltrans' R/W. The following is a list of impacts that are typical to Caltrans' facilities, and we recommend that they be addressed if appropriate environmental and supporting documents for this project:

- Noise
- Air Quality
- Hazardous Materials
- Community Impacts
- Visual/Aesthetic Impacts (including any removal of vegetation or trees)
- Cultural Resources
- PRC 5024
- Water Quality
- Agricultural/Farmland Impacts
- Traffic/Circulation

Specifically, area within the Caltrans' R/W overlaps with estuarine, marine wetland, marine deepwater, and transitional upland habitats. California Natural Diversity Database (CNDDDB) records indicate potential for various special status and federally and/or state listed species to occur within or immediately adjacent to the Caltrans' R/W. Special Status and Federally/State listed species include:

Belding's savannah sparrow – State Endangered  
Light-footed Ridgway's rail – State/Federally Endangered  
Western snowy plover – State Threatened

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Rare plant species such as Nuttall's Acmispon (*Acmispon prostratus*) (1B.1) and decumbent goldenbush (*Isocoma menziesii* var. *decumbens*) (1B.2). Historical records are present for various other rare plant species. The project may result in impacts to the habitats and species listed above and would require consultation and coordination with the appropriate agencies such as, but not limited to:

California Department of Fish and Wildlife Service (CDFW)

U.S. Fish and Wildlife Service (USFWS)

U.S. Army Corp of Engineers (USACE)

Regional Water Quality Control Board (RWQCB)

California Coastal Commission (CCC) and/or Local Coastal Program (LCP)

Appropriate protocol and biological studies for the listed and special status species listed above and any additional sensitive biological resources that may occur within Caltrans' R/W must be approved by corresponding regulatory agencies. Any proposed mitigation for impacts occurring within Caltrans R/W will require review, approval, and oversight by Caltrans staff. No compensatory mitigation for this project is allowed within the Caltrans' R/W.

Caltrans appreciates the opportunity to comment on this environmental document. The analysis of potential future projects presented may impact on Caltrans R/W in the future. Caltrans welcomes the opportunity to be a Responsible Agency under 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. Please indicate our status as a Responsible Agency for the Final Environmental Document. 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 EIR 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 that include the work in Caltrans' R/W, 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.

## **Sustainability**

Caltrans recommends collaboration between our agency and the City of Imperial Beach on the proposed transportation related topics including adaptation strategies to help improve the City's resilience to potential climate change impacts and strategies to reduce vehicle miles traveled (VMT), and off-road and on-road greenhouse gas (GHG) emissions.

Caltrans recognizes that transportation is a leading contributor to GHG emissions in the region and is dedicated to reducing and mitigating transportation related emissions. We recommend collaborating with Caltrans on the following measures such as increasing the use of zero emission vehicles, installing electric vehicle (EV) charging stations, identifying right-of-way areas to be used for carbon sequestration, and complete streets.

The existing climate hazards discussed in this document will have an impact of the transportation system. We recommend working with Caltrans on determining the preventative strategies the Caltrans can take to keep roadways operational and ensure their longevity against climate stressors such as increased temperatures, changes in precipitation patterns, wildfire, and flooding. Caltrans recognizes the central role that transportation planning plays in safety and ensuring that when these natural hazards do occur, citizens have a reliable evacuation route.

## **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 visiting the website at <https://dot.ca.gov/programs/traffic-operations/ep>. Projects with the following:

- require a Caltrans Encroachment Permit
- have completed the Caltrans Local Development Review (LDR) process
- have an approved environmental document

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need to have documents submitted for Quality Management Assessment Process (QMAP) process via email to [D11.QMAP.Permits@dot.ca.gov](mailto:D11.QMAP.Permits@dot.ca.gov). Early coordination with Caltrans is strongly advised for all encroachment permits.

If you have any questions or concerns, please contact Mark McCumsey, LDR Coordinator, at (619) 985-4957 or by e-mail sent to [Mark.McCumsey@dot.ca.gov](mailto:Mark.McCumsey@dot.ca.gov).

Sincerely,

*Kimberly D. Dodson*

KIMBERLY D. DODSON, GISP  
Branch Chief  
Local Development Review