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Figure 4-3: The Mobility Pyramid

Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans works closely with local jurisdictions on planning activities but does not have local land use planning authority. Caltrans also assists efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, as well as, light- and heavy-duty trucks; Caltrans is doing this by supporting ongoing research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by the USEPA and CARB.

Table 4.4 summarizes Caltrans' and Statewide efforts for implementation in order to reduce GHG emissions. For more detailed information about each strategy, please see Climate Action Program at Caltrans (December 2006); it is available at <http://www.dot.ca.gov/docs/ClimateReport.pdf>.

Table 4.4: Climate Change Strategies

Strategy	Program	Partnership		Method/Process	Estimated CO ₂ Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	0.975	7.8
Operational Improvements & ITS Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	0.007	2.17
Mainstream Energy & GHG into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, California Environmental Protection Agency (CalEPA), CARB, California Energy Commission		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated
Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services		Fleet Replacement B20 B100	0.0045	0.0065 0.45 0.0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team		Energy Conservation Opportunities	0.117	0.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries		2.5% limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix	1.2 0.36	4.2 3.6
Goods Movement	Office of Goods Movement	CalEPA; CARB; Business, Transportation, and Housing Agency; MPOs		Goods Movement Action Plan	Not Estimated	Not Estimated
TOTAL					2.72	18.18

MMT = million metric tons

The following measures are also included in the project (as described in *Chapter 2* of this Final EIR/EIS) to reduce the GHG emissions and potential climate change impacts from the project:

1. Caltrans and the California Highway Patrol are working with regional agencies to implement ITS to help manage the efficiency of the existing I-5 highway system. ITS commonly consists of electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
2. Park-and-ride facility installation or enhancement by Caltrans. In addition, Caltrans, SANDAG, participating corporations, and local governments are providing ridesharing services and park and ride facilities to help manage the growth in demand for highway capacity.
3. Landscaping reduces surface warming, and through photosynthesis, decreases CO₂. The project proposes extensive landscaping within I-5 right-of-way (road edge and median, as appropriate), including shrubs and trees. This would help offset tons of CO₂ per year.
4. Use of energy efficient lighting, such as LED traffic signals. LED bulbs cost \$60 to \$70 apiece but last five to six years, compared to the one-year average lifespan of the incandescent bulbs previously used. The LED bulbs themselves consume 10 percent of the electricity of traditional lights, which would also help reduce CO₂ emissions.¹⁰
5. According to Caltrans Standard Specifications, the contractor must comply with all of the local Air Pollution Control District's (APCD) rules, ordinances, and regulations in regards to air quality restrictions. Specifically, as noted in *Section 3.14* of this Final EIR/EIS, inactive construction equipment would not be allowed to idle for prolonged periods.

4.6.6 Adaptation Strategies

“Adaptation strategies” refer to how Caltrans and others can plan for the effects of climate change on the State’s transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, variability in storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damage to roadbeds by longer periods of intense heat; increasing storm damage from flooding and erosion; and inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

At the federal level, the Climate Change Adaptation Task Force, co-chaired by the Council on Environmental Quality (CEQ), the Office of Science and Technology Policy (OSTP), and the National Oceanic and Atmospheric Administration (NOAA), released its interagency report on October 14, 2010 outlining recommendations to President Obama for how federal agency

¹⁰ Knoxville Business Journal, “LED Lights Pay for Themselves,” May 19, 2008 at <http://www.knoxnews.com/news/2008/may/19/led-traffic-lights-pay-themselves/>.

policies and programs can better prepare the United States to respond to the effects of climate change. The Progress Report of the Interagency Climate Change Adaptation Task Force recommends that the federal government implement actions to expand and strengthen the nation's capacity to better understand, prepare for, and respond to climate change.

Climate change adaptation must also involve the natural environment as well. Efforts are underway on a Statewide-level to develop strategies to cope with impacts to habitat and biodiversity through planning and conservation. The results of these efforts will help California agencies plan and implement mitigation strategies for programs and projects.

On November 14, 2008, former Governor Arnold Schwarzenegger signed EO S-13-08 which directed a number of State agencies to address California's vulnerability to sea level rise caused by climate change. This EO set in motion several agencies and actions to address the concern of sea level rise.

The California Natural Resources Agency (Resources Agency) was directed to coordinate with local, regional, State, and federal public and private entities to develop the California Climate Adaptation Strategy (December 2009),¹¹ which summarizes the best known science on climate change impacts to California, assesses California's vulnerability to the identified impacts and then outlines solutions that can be implemented within and across State agencies to promote resiliency.

The strategy outline is in direct response to EO S-13-08, which specifically asked the Resources Agency to identify how State agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. Numerous other State agencies were involved in the creation of the Adaptation Strategy document, including the California Environmental Protection Agency; Business, Transportation and Housing; Health and Human Services; and the Department of Agriculture. The document is broken down into strategies for different sectors that include: Public Health; Biodiversity and Habitat; Ocean and Coastal Resources; Water Management; Agriculture; Forestry; and Transportation and Energy Infrastructure. As data continue to be developed and collected, the State's adaptation strategy will be updated to reflect current findings.

The Resources Agency was also directed to request the National Academy of Science to prepare a Sea Level Rise Assessment Report by December 2010¹² to advise how California should plan for future sea level rise. The report is to include:

- relative sea level rise projections for California, Oregon, and Washington taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge, and land subsidence rates;
- the range of uncertainty in selected sea level rise projections;
- a synthesis of existing information on projected sea level rise impacts to State infrastructure (such as roads, public facilities, and beaches), natural areas, and coastal and marine ecosystems; and
- a discussion of future research needs regarding sea level rise.

¹¹ <http://www.energy.ca.gov/2009publications/CNRA-1000-2009-027/CNRA-1000-2009-027-F.PDF>

¹² Pre-publication copies of the report, *Sea Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future*, were made available from the National Academies Press on June 22, 2012. For more information, please see http://www.nap.edu/catalog.php?record_id=13389.

Prior to the release of the final Sea Level Rise Assessment Report, all State agencies that are planning to construct projects in areas vulnerable to future sea level rise were directed to consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. Sea level rise estimates should also be used in conjunction with information regarding local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge, and storm wave data.

Interim guidance has been released by The Coastal Ocean Climate Action Team (CO-CAT) as well as Caltrans as a method to initiate action and discussion of potential risks to the states infrastructure due to projected sea level rise.

All projects that have filed a Notice of Preparation (NOP) as of the date of the EO S-13-08, and/or are programmed for construction funding through 2013, or are routine maintenance projects may, but are not required to, consider these planning guidelines.

EO S-13-08 also directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance, and operational improvements of the system and economy of the State. Caltrans continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Currently, Caltrans is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for relative sea level rise and other climate change effects, Caltrans has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, Caltrans will be able review its current design standards to determine what changes, if any, may be warranted in order to protect the transportation system from sea level rise.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. Caltrans is an active participant in the efforts being conducted in response to EO S-13-08 and is mobilizing to be able to respond to the National Academy of Science Sea Level Rise Assessment Report.

The NOP for this project was filed prior to this EO (October 20, 2004), and if approved, will be in final design (rather than construction) through 2013. Although exempt from this requirement, sea level rise review relative to I-5 crossings of coastal lagoons and their primary tributaries was completed.

The following screening criteria were considered:

- Project design life, 20+ years
- Redundancy/alternative routes
- Anticipated travel delays
- Good movement/interstate commerce
- Evacuations/emergencies
- Traveler safety, in delaying the project to incorporate sea level rise design

- Expenditure of public funds
- Scope of project
- Interconnectivity issues with local streets and roads
- Environmental constraints, i.e., increase in project footprint into environmentally sensitive areas

The Ocean Protection Council adopted Statewide sea level rise values (*Table 4.5*), and a sea level rise interim guidance document in March 2011. Caltrans participated in the development of this first set of Statewide scenarios. This common set of values allows all State agencies to plan for sea level rise with the same assumptions. This document would be revised when the NAS releases their final sea level rise values, but in the interim, provided a standardized set of assumptions to use when projecting potential sea level rise effects.

Table 4.5: Sea Level Rise Projections Using 2000 Baseline

Year	Rise	Average of Models	Range of Models
2030	--	7 in	5-8 in
2050	--	14 in	10-17 in
2070	Low	23 in	17-27 in
	Medium	24 in	18-29 in
	High	27 in	20-32 in
2100	Low	40 in	31-50 in
	Medium	47 in	37-60 in
	High	55 in	43-69 in

For dates after 2050, *Table 4.5* includes three different values for sea level rise; based on low, medium, and high GHG emission scenarios. These values are based on the Intergovernmental Panel on Climate Change emission scenarios as follows: B1 for low projections, A2 for medium projects, and A1F1 for high projections.

The projected values show narrow ranges of rise for the relative short term and increasing ranges for time frames farther into the future. The scenarios predict fairly consistent values in the short term, but increasingly wide ranges of value in the longer term due to increasing uncertainty. These projections vary depending upon how quickly the international community reduces GHG emissions. There is no specific probability of occurrence for any of the projected scenarios—they represent different possible global climate conditions and the amount of projected sea level rise for the respective conditions.

Predicted Consequences of Sea Level Rise on the I-5 NCC Project: Section 3.9 of this Final EIR/EIS discusses lagoon and creek crossing hydrology/hydraulics, including the impacts anticipated during the 100-year flood event and projections of sea level rise for 2100. Preliminary design studies indicate ample freeboard to accommodate the 100-year flood event and projected 2100 sea level rise at all water crossings except Carmel Creek. At that location, there would be a deficiency of 0.7 foot of freeboard during a 100-year flood event. This represents a temporary build up of water east of I-5, however, and freeway access would be anticipated to be maintained.

Application of the Screening Criteria to the I-5 NCC Project: In considering the screening criteria listed above, the project design life is expected to be approximately 40 years (to 2050). I-5 is a critical route for commercial goods movement.

In the (unexpected) event that a tidal event inundates the freeway, there are several alternative routes to I-5 in this area. El Camino Real, less than a mile east of the freeway, is a parallel north-south route. Further east, I-15 is connected to I-5 by several local streets, as well as the SR-56, SR-76, and SR-78 freeways. These facilities could also serve as evacuation routes, if needed. The ITS elements of the existing facility and those proposed as part of the *I-5 NCC Project*, would improve real time responses to emergency situations. The anticipated travel delay from an event would be minor to moderate, lasting from a few hours to possibly a few days.

The addition of a new structure and raising the freeway approaches to the new structure would add millions to the project and ongoing additional maintenance for this area also would be incurred to support the raised approaches to the structure. It would also necessitate reconstructing portions of Carmel Valley Road west and east of the project, Sorrento Valley Road to the west, and possibly reconstructing the connections of El Camino Real and SR-56 to Carmel Valley Road. In addition to the above design and cost consideration, the redesign would increase the project footprint in the Carmel Valley area. The project would likely encroach into the habitat of CVREP to the west and Los Peñasquitos Lagoon to the west. It could also impact existing businesses immediately east of the freeway.

Further delays to implementing the project would cause longer travel times, increase congestion and possibly lead to additional accidents.

Adaptation Strategies

Adaptation strategies to reduce the deficiency include removing existing sediment under the existing bridge at Carmel Valley Creek and temporary freeway closures. Alternative routes exist so that traffic could be rerouted during periods of minor to moderate inundation. Based on the results from the screening criteria discussion, the adaptation strategies are considered appropriate for the risk level identified.

4.7 Mitigation Measures for Significant Impacts under CEQA

Supporting documentation of all CEQA resource evaluation is provided in *Chapter 3* of this Final EIR/EIS. Discussion of all impact avoidance, minimization, and/or compensation measures is under the appropriate topic headings in *Chapter 3*. Implementation of these measures would reduce significant impacts to below a level of significance under CEQA for Cultural Resources, Paleontological Resources, Hazards and Hazardous Materials, Noise, and Biological Resources (including Natural Communities; Wetlands and Other Waters; Plant, Animal, and Threatened and Endangered Species; and Conformance with Local Policies, Ordinances, and Conservation Plans). Significant project-level impacts to community character and cohesion would remain significant for the 10+4 Barrier alternative. Project-level and cumulative impacts to visual resources would remain significant and unmitigable under any of the build alternatives. All other project-related direct and cumulative effects would be reduced to below a level of significance through proposed design minimization, as described in *Chapter 3* and *Section 4.6* above. The avoidance, minimization, and mitigation measures are incorporated into the ECR, which comprises a program for reporting on or monitoring implementation of the measures, pursuant to CEQA Guidelines Section 15091(d).



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Chapter 5 – Comments and Coordination

Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process. The input and advice helps to determine the scope of environmental documentation, the level of analysis, potential impacts, mitigation measures, and related environmental requirements. Projects as large as the *I-5 NCC Project* benefit from federal, State, and local agency consultation and public participation. This participation has been accomplished through a variety of formal and informal methods, including: scoping meetings, project development team meetings, interagency coordination meetings, public meetings on the Draft and Supplemental Draft environmental documents, a Major Investment Study, and direct coordination with individuals regarding proposed project features as well as potential property impacts. Numerous community meetings with service groups, homeowners associations, and business organizations have helped gain an understanding of the public concerns as the project is developed. This chapter summarizes the results of Caltrans' and FHWA's efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

5.1 Project Scoping Process

In 2001, Caltrans held preliminary public scoping meetings, prior to environmental analysis, to introduce the project concept. These preliminary public scoping meetings were held on the following dates and locations:

- March 27, 2001 in Carlsbad
- April 17, 2001 in Encinitas
- May 16, 2001 in Del Mar
- June 21, 2001 in Oceanside

Notice of Intent

On January 12, 2004, a Notice of Intent (NOI) was published in the Federal Register in accordance with NEPA, to advise the public that the environmental document would be prepared and to provide supplementary information about the proposed action and alternatives. Comments and suggestions were invited from all interested parties. The NOI was issued on January 5, 2004, for a 30-day review period. A copy of the NOI is included as *Figure 5-1.1*, below.

Comments on the NOI were received from the following:

- USEPA (concerns focused on establishment of purpose and need; impacts to water resources, biological resources, and air quality; impacts to cultural resources; impacts to environmental justice communities; and analysis of cumulative impacts)
- USFWS (requested in-depth discussion on a range of reasonable project alternatives that avoid or lessen significant effects of the proposed project; address consistency with habitat conservation plans; address edge-effects; address construction and operational noise levels; and discuss BMPs)

The formal scoping meetings were held in 2004 at the following locations:

- January 7, Carlsbad Library - George and Patricia Gowland Meeting Room - 1775 Dove Lane

- January 13, Oceanside High School - Multi Purpose Room - 100 S. Horn Street
- January 27, Encinitas Community Center - Room 142B - 1140 Oakcrest Park Drive
- February 10, Solana Beach City Hall - Council Chambers - 635 South Coast Highway 101
- February 17, Del Mar City Hall - Council Chambers Room 1050 Camino Del Mar
- March 2 San Diego - Westfield Shopping Town UTC - Forum Hall behind Wells Fargo Bank

Notice of Preparation

On October 20, 2004, a Notice of Preparation (NOP) was filed with the State Clearinghouse and San Diego County Clerk, and distributed to appropriate State and local agencies and organizations. The review period for the NOP was from October 20 to December 14, 2004. Copies of the NOP are included as *Figures 5-1.2a* and *5-1.2b*, below.

Comments on the NOP were received from the following:

- USFWS (requested an in-depth alternatives analysis; identification and consideration of listed and sensitive wildlife species and other biological resources within and adjacent to the project area, as well as associated impact avoidance; discussion of the project's consistency with applicable habitat conservation plans; identification and discussion of edge effects and applicable best management practices)
- CCC (requested an in-depth alternatives analysis, specifically other modal alternatives, and to focus on impact avoidance and restoration to sensitive resources)
- California Department of Fish and Wildlife (CDFW; previously California Department of Fish and Game) (requested in-depth discussion on a range of reasonable project alternatives that avoid or lessen significant effects of the proposed project; address consistency with habitat conservation plans; address edge-effects; address construction and operational noise levels; and discuss BMPs)
- City of San Diego Councilman Scott E. Peters (requested examination of alternative routing for the proposed LOSSAN rail expansion project)
- City of San Diego (requested that a waste management plan be prepared for the project prior to demolition or grading in consultation with the City of San Diego Environmental Services Department and consideration of recycled water use for landscaping irrigation)
- City of Del Mar (concerned with wetland and traffic impacts; requested traffic improvements/modifications at various intersections)
- City of Solana Beach (requested analysis of four additional alternatives and study and installation of sound attenuation during environmental review, planning, and design)
- City of Carlsbad (requested notification of the availability of the Draft EIR)
- San Dieguito Lagoon Committee (requested in-depth analysis of wetland, floodway, and floodplain impacts; a mitigation program for potential impacts; and discussion of project alternatives)
- NAHC (requested various actions to identify and mitigate project-related impacts on cultural resources)
- Willow Design, Inc. (proposed a conceptual study of two independent "side-by-side" freeways)
- Faye Detsky-Weil (concerned with increased traffic and decreasing quality of life, lack of transit alternatives, and right-of-way takes)
- Morton Printz (requested an extension of the public comment period)

Additional Project Outreach

Two newsletters were sent out and/or made available to the public. The first edition was mailed directly to more than 100,000 addresses within one mi east or west of the freeway. A postcard was also sent out to the same area informing residents that the second edition of the newsletter, along with additional project information, was available on the project web site at www.keepsandiegomoving.com. The project web site has been frequently updated providing accurate and timely information to anyone who is interested. Additional non-traditional outreach occurred by posting Scoping Meeting flyers in Spanish/English language at various establishments including: libraries, Mexican markets, churches, schools, chambers of commerce, city halls, senior centers, community centers, Boys & Girls Club, Headstart Center. Representatives from the Environmental and Public Information branches also attended Farmers Markets and Food Court locations along the corridor to discuss the project and upcoming scoping meetings with interested freeway users. Please see Section 8.1 Community Outreach, of the Community Impact Assessment for a more thorough list of outreach efforts.

Prior to formal scoping activities described in *Section 5.1*, above, community interaction was sought through informational meetings between December 1997 and January 1998 as part of the North Coast Transportation Study that served as the MIS developed in partnership with SANDAG. After completion of the MIS and the PSR (PDS) in 2000, four informational meetings were held between March and June 2001 in Del Mar, Solana Beach, Carlsbad, and Oceanside. In October 2000, representatives from SANDAG, city staff, and private citizens met with Caltrans project team members to begin the process of identifying opportunities for enhancement features to integrate natural and cultural resources into freeway improvements. Basic functions of the study were identified as intended to “enhance visual characteristics” and “preserve community character.” The team developed 71 enhancement strategies to support these functions that were presented to elected officials of each city. As part of community enhancement planning, public input was solicited at the following meetings:

- In San Diego on April 19, 2006 at the Sycamore Ridge School
- In Encinitas on August 23, 2005 at the Paul Ecke Central Elementary School
- In Encinitas on August 24, 2005 at Encinitas City Hall
- In Encinitas on August 25, 2005 at Cardiff Elementary School
- In Carlsbad on May 2, 2006 at the City of Carlsbad
- In Oceanside on June 20, 2006 at the City of Oceanside

Since 2004, Caltrans Project Management for the *I-5 NCC Project* has attended meetings, conducted surveys, presented handouts/mailers, and given presentation to local communities and planning groups; homeowners associations; chambers of commerce; city council meetings; and local politician sponsored meetings in an effort to update interested parties and the public on the status of the project. These meetings allowed communities to review project information on proposed the 10+4 and 8+4 alternatives and provide informal public input.

In 2004, additional project outreach was held on the following dates and locations:

- January 7, 2004 in Carlsbad
- January 13, 2004 in Oceanside
- January 27, 2004 in Encinitas
- February 10, 2004 in Solana Beach
- February 17, 2004 in Del Mar
- March 2, 2004 in San Diego

The following concerns were identified:

- Purpose, need, and location for potential widening
- Private property impacts
- Community cohesiveness
- Traffic, pedestrian, and bicycle
- Noise
- Growth
- Parks and views, including the sewer treatment plant
- Resource impacts: biological resources (including lagoons), air quality, and water quality
- Cumulative impacts

As noted above, meetings were held from January 2005 to October 2006 with Caltrans, SANDAG, and/or council and staff members of the cities to identify development opportunities and constraints for the project as part of the I-5 North Coast Community Enhancement Plan.

These meeting were held on:

- February 22, 2005, and January 12, 2006, with the City of San Diego
- January 18, 2005, and October 10, 2006, with the City of Del Mar
- February 4, 2005, and July 6, 2006, with the City of Solana Beach
- February 2, 2005, June 22, 2005, March 21, 2006, and July 10, 2006, with the City of Encinitas
- January 21, 2005, November 22, 2005, January 31, 2006, and July 6, 2006, with the City of Carlsbad
- March 2, 2005, May 15, 2006, July 6, 2006, and December 19, 2006, with the City of Oceanside

In addition, monthly traffic working meetings occurred from February 2005 to January 2007 between Caltrans staff, city engineers, and planning personnel.

5.2 Hearings on the Draft and Supplemental Draft EIR/EIS

In 2010, five public hearings were held in the open-house format to present details about the proposed project design, the alternatives being considered, and findings from the environmental studies, as identified in the Draft EIR/EIS prepared for the project. The hearings were held on the following dates and locations:

- July 27, 2010 at the Encinitas Community and Senior Center in Encinitas
- August 3, 2010 at the Westfield University Town Center Forum Hall in San Diego
- August 17, 2010 at the Faraday Center in Carlsbad
- August 24, 2010 at Skyline Elementary School in Solana Beach
- September 9, 2010 at the Oceanside High School Multipurpose Room in Oceanside

Following public circulation and review of the Draft EIR/EIS, numerous comments were received from members of the public and public agency representatives requesting:

- Updates on studies by others regarding North County lagoons that were in draft form or being implemented when the Draft EIR/EIS was released
- Clarification of specific impact and avoidance/minimization/mitigation measures related to lagoons crossed by the I-5 right-of-way

A Supplemental Draft EIR/EIS was prepared and circulated in August through October 2012. The document focused on lagoon bridge optimization studies completed between 2010 and 2012, and refined lagoon bridge design based on those studies. Issues related to regional and community enhancements, water quality and sea level rise review were also refined in the document. A public hearing on that document was held in the open-house format on September 19, 2012 at the Encinitas Community and Senior Center.

Verbal and written comments were submitted at the hearings, and were also received during the public review period of the Draft EIR/EIS (a total of 5,332 comments) and Supplemental EIR/EIS (a total of 337 comments), and are addressed in full in this Final EIR/EIS.

5.3 Project Development Team Meetings

An *I-5 NCC Project* PDT was assembled by Caltrans and FHWA in 2000 to serve as the technical advisory committee and internal decision-making body for the project. The PDT consists of both Caltrans staff representatives from Program Management and the various technical divisions (such as Environmental Planning, Design, Right of Way, etc.), FHWA, and representatives from other interested agencies. The PDT met (and continues to meet) monthly during the course of project development as issues arise requiring technical direction or resolution.

Agencies participating in the PDT include:

- USEPA
- USFWS
- USACE
- NOAA/NMFS
- CDFW
- CCC
- RWQCB
- SANDAG

Caltrans, SANDAG, and the Cities of San Diego, Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside also worked closely as partners in the development of the proposed project.

Cooperating Agencies

There is a need for early coordination and cooperation with federal, State, and local agencies. According to CEQ 40 CFR 1508.5, "cooperating agency" means any federal agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative. Upon request of the lead agency, any federal agency with jurisdiction by law shall be a cooperating agency. Any other federal agency with special expertise with respect to any environmental issue may be a cooperating agency. An agency may request to be designated as a cooperating agency. *Table 5.1* below identifies the cooperating agencies coordination, particularly focused on the NEPA-Section 404 Integration Process discussed in more detail in *Section 5.4*.

On April 27, 2004 FHWA invited USEPA, USFWS, USACE, and NOAA/NMFS to become cooperating agencies. On May 20, 2004 USEPA declined invitation to participate as a cooperating agency, since USEPA is participating via the NEPA 404 MOU process (see *Section 5.4*). FHWA received agreement to participate as a cooperating agency from USFWS, USACE, and NOAA/NMFS.

On May 3, 2010 FHWA sent an invitation and subsequently received agreement to participate as a cooperating agency from the U.S. Coast Guard. In a letter dated December 13, 2012 (*Figure 5-3.1*), the U.S. Coast Guard notified Caltrans that bridges proposed over the following waterways would meet the criteria for Advance Approval of bridges pursuant to 33 CFR 115.70, and no individual Coast Guard permits would be needed for them because these waterways are not navigated by anything larger than small motorboats: San Diego River, Los Peñasquitos Lagoon and River, San Dieguito Lagoon, San Elijo Lagoon, Batiquitos Lagoon, and Agua Hedionda Lagoon. The letter also stated that the I-5 bridge crossings of the following waterways are located on reaches of the waterways considered to be non-navigable and therefore, under the provisions of the Coast Guard Authorization Act of 1982, do not require Coast Guard involvement for bridge permit purposes: Buena Vista Lagoon, San Luis Rey River, Carmel Valley Creek, and Loma Alta Creek.

5.4 NEPA – Section 404 Integration Process

On December 10, 2004, Caltrans signed an interagency MOU committing to integrate NEPA and Section 404 of the Clean Water Act in transportation planning, programming, and implementation stages for federal aid surface transportation projects requiring a Permit under Section 404. Under the MOU process, the FHWA, USFWS, NOAA/NMFS, USACE, and USEPA were asked to concur on the following two checkpoints: (1) Purpose and Need Statement, and (2) identification of the range of alternatives and consideration of the criteria used to select and analyze the range of alternatives to be studied in the EIR/EIS. The Preliminary LEDPA Determination and Conceptual Mitigation Plan were identified as issues to be discussed for concurrence after document circulation.

The consolidation of these processes provide for more timely decision making while improving the overall quality of those decisions. Caltrans coordination efforts included inviting for consultation non-signatory State regulatory agencies: the CDFW, CCC staff, and the RWQCB to implement the MOU. Letters concurring on the project purpose and need, screening criteria, and the range of alternatives under study were received from USFWS, NOAA/NMFS, USACE, and USEPA (*Figures 5-4.1 through 5-4.12*). *Table 5.1* provides the dates of the NEPA/404 meetings held during the project development process.

As anticipated, concurrence regarding the LEDPA Determination and Conceptual Mitigation Plan was the subject of coordination following circulation of the Draft EIR/EIS. Refinement of the 8+4 Buffer alternative (identified as the locally preferred alternative, or LPA, in 2011, and currently identified as the Preferred Alternative) was integral to these discussions. Letters of concurrence on the Preliminary LEDPA and the Conceptual Mitigation Plan (Resource Enhancement and Mitigation Program [REMP]) were received from USFWS, NOAA/NMFS, USACE, and USEPA (*Figures 5-4.13 through 5-4.16*) on the dates indicated in *Table 5.1*. Coordination efforts related to lagoon bridge optimization studies and resolution of project-related issues between November 2010 and release of this Final EIR/EIS are included in *Table 5.1*.