

DOCKETED

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Table 5.1: NEPA/404 Consultation and Coordination

Date	Topic(s)
11/12/2003	Kickoff Meeting
03/03/2004	Meeting discussed: Purpose and Need
04/20/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
05/20/2004	Received USEPA letter that declined FHWA's invitation to participate as a cooperating agency, since USEPA is participating via the NEPA 404 MOU process
07/28/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration, and list of proposed projects with independent utility and logical termini (I-5 / SR-56 and I-5 / Lomas Santa Fe Drive)
09/28/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
11/02/2004	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
December and January 2005	Concurrence with Purpose and Need: USACE 1/19/2005; USEPA 1/10/2004[sic]; USFWS 1/3/2005; NOAA 12/17/2004
01/20/2005	Field Review. Purpose and Need, Criteria for Alternative Selection, and Project Alternatives
03/23/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, and Biological resources
04/27/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan and Proposed projects with independent utility and logical termini (I-5 HOV Extension and I-5 / Genesee Avenue Interchange projects)
May and June 2005	Concurrence with Screening Criteria: USACE 6/29/2005; USFWS 5/25/2005; USEPA 5/23/2005; NOAA 5/19/2005
09/13/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
October 2005	Concurrence with I-5 / Genesee Avenue Interchange Improvements Project as independent from the I-5 NCC Project. USFWS 11/1/2005; USACE 10/26/2005; USEPA 10/26/2005; NOAA 10/21/2005
11/15/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
11/15/2005	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan
01/19/2006	Meeting discussed: Lagoon Restoration and Coastal Habitat
03/30/2006	Meeting discussed: Lagoon restoration, Opportunities and Constraints for future community enhancements
06/06/2006	Meeting discussed: Purpose and Need, Criteria for Alternative Selection, Project Alternatives, Lagoon Restoration for mitigation plan and Proposed projects
08/01/2006	Meeting discussed: Geotechnical investigation, Coastal access, and lagoon restoration
August 2006	Concurrence with Range of Alternatives: USEPA (not dated); USFWS 8/24/2006; USACE 8/21/2006; NOAA 8/7/2006
09/21/2006	Meeting discussed: San Diego Bay National Wildlife Refuge Comprehensive Conservation Plan - Habitat Enhancement and Restoration Proposals
06/06/2007	Meeting discussed: Lagoon restoration, proposed projects with independent utility and logical termini (I-805 DAR with HOV Extension), and CMIA discussion
July 2007	Concurrence with I-805 DAR with HOV Extension as independent from the I-5 NCC Project; NOAA 7/10/07; USFWS 6/6/2007; Verbal at meeting 5/22/08 USEPA and USACE

Table 5.1 (cont.): NEPA/404 Consultation and Coordination

Date	Topic(s)
05/22/2008	Meeting discussed: I-5 NCC Project status, status of other projects along I-5, coordination with mass transit and not to preclude LOSSAN, lagoons, and wildlife corridors
09/23/2010	Field review of the North Coast Corridor by Caltrans and EPA staff
10/28/2010	Dr. Michael Josselyn presented a summary of findings based on Phase 2 lagoon bridge optimization studies (Wetland Enhancement Opportunities Using the Hydrodynamic Approach by Optimization of Bridges Over San Diego Region Coastal Lagoons). Caltrans provided an update on the project and NEPA/404 Memorandum of Understanding (MOU) process
11/23/2010	Caltrans and EPA coordination regarding the Draft EIR/EIS
12/07/2010	Caltrans and EPA additional coordination regarding the Draft EIR/EIS
01/26/2011	Caltrans provided updates on the NEPA/404 MOU process and project Public Works Plan (PWP), and an overview of the Regional Transportation Plan (RTP). Discussion of the project Mitigation Plan. Caltrans requested concurrence on details of Encinitas Boulevard interchange improvements
03/30/2011	Discussion regarding scope of Supplemental Draft EIR/EIS (SDEIR/EIS) and the locally preferred alternative (LPA)
04/27/2011	Caltrans provided an update on the NEPA/404 MOU process and PWP, as well as an overview of the RTP. Discussion of the Mitigation Plan. Caltrans requested concurrence on details of the Encinitas Boulevard interchange improvements
06/01/2011	Concurrence reached on I-5/Encinitas Boulevard interchange improvements; update on NEPA/404 MOU process. Review of I-5 bridges, mitigation summary table information for 10+4 w/barrier and 8+4 w/buffer design alternatives, and a sample format for lagoon bridge summary analysis (using Agua Hedionda Lagoon Bridge). Discussion of the outline for the SDEIR/EIS
07/06/2011	Discussion of the LPA, project direct access ramps (DARs), and construction phasing
08/11/2011	Caltrans provided updates on optimization studies for the six lagoons, as well as the SDEIR/EIS and LPA refinement
09/15/2011	Agua Hedionda Lagoon discussion with focus on lagoon bridge summary matrix with justification for bridge lengths, and request for concurrence. Discussion of trails and opportunities at Agua Hedionda. Caltrans provided updates on lagoon bridge optimization studies and on the SDEIR/EIS
11/09/2011	Review of other ongoing projects. Updates provided for I-5 / Genesee, I-5 / SR-56, and I-5 / Encinitas interchanges, the SDEIR/EIS, and bridge length optimization studies at the lagoons. Review of a mitigation site assessment template using the Hallmark property. Concurrence/approval received on the Agua Hedionda lagoon bridge matrix and justification paper. Presentation of Los Peñasquitos and San Dieguito bridge justification papers and matrices
12/15/2011	Review of mitigation site assessment template for Hallmark and La Costa properties, as well as bridge justification papers and matrices for San Dieguito, Los Peñasquitos, and Agua Hedionda Lagoons
01/19/2012	Review of SDEIR/EIS Chapter 1
02/16/2012	Review of SDEIR/EIS outline and revised project analysis key (summarizing agency comments and documents which address the response). Discussion of agency comments on SDEIR/EIS Chapter 1. Presentation of I-5 North Coast Bikeway concept and discussion of Carmel Creek field trip
02/29/2012	Caltrans and USEPA coordination regarding topics to be covered in the SDEIR/EIS
04/12/2012	Agencies provided comments on the SDEIR/EIS and team discussion of document content continued
July 2013	Caltrans and USACE coordination regarding LEDPA and USACE permit
05/24/2012	Review of project mitigation package and mitigation parcel evaluations

Table 5.1 (cont.): NEPA/404 Consultation and Coordination

Date	Topic(s)
06/21/2012	Continued discussion of Resource Enhancement Program (REP)**/project mitigation package, introduction of Draft Design Guidelines
07/19/2012	Continued discussion of REP**/project mitigation package
09/20/2012	Discussion of REP** elements, timing and funding, and identification of preliminary LEDPA
09/27/2012	RWCQB, USACE, SANDAG, and Caltrans discussion regarding USACE permitting process and mitigation. Consensus reached on use of a programmatic individual permit and banking agreement.
10/09/2012	Agency review of comments on SED
10/18/2012	REP** mitigation detail and discussion of Draft Design Guidelines
12/06/2012	Ongoing PWP/TREP development to support CCC permitting process, REP** discussion of temporary impacts, performance standards, and endowments
01/24/2013	Review of REP** comments, initiation of LEDPA and REP** concurrence discussions.
02/28/2013	Continued discussion of REP** comments
03/28/2013	Continued discussion of REP** comments
04/18/2013	Continued discussion of REP** comments and Draft Final EIR/EIS
04/29/2013	Caltrans requested concurrence on the Preliminary LEDPA and the REMP
June 2013	Final review and coordination on the REMP
May-July 2013	Concurrence received on Preliminary LEDPA and REMP: NOAA/NMFS 05/28/2013; USEPA 06/10/2013; USFWS 06/18/2013; USACE 07/15/2013;

* Unless otherwise specified, each meeting was attended by staff from each of the following agencies: USACE, CCC, CDFW, USEPA, NOAA/NMFS, RWQCB, SANDAG, and USFWS.

** The REP is now referred to as the Resource Enhancement and Mitigation Program (REMP)

5.5 Additional Consultation and Coordination with Public Agencies

As indicated in *Sections 5.1 through 5.4*, considerable coordination has occurred with both public resource and regulatory agencies throughout the environmental review process beginning in 2001. FHWA and Caltrans have worked closely with representatives of various federal, State, regional, and local agencies. The agencies were formally or informally contacted and consulted during the preparation of the environmental analysis.

Since 2007, SANDAG and Caltrans, in coordination with CCC staff, have met bi-monthly to advance the PWP/TREP. The PWP/TREP meetings were designed to continue the process that would maintain and improve transportation facilities within the I-5 North Coast Corridor and address coastal resource impacts on a project-by-project basis. The PWP/TREP provides a planning, analytical, and implementation mechanism to address improvements throughout the corridor as a system consistent with the policies of the Coastal Act. A CCC staff member was assigned full-time for this project and has attended the bi-monthly PWP/TREP meetings.

Stakeholder Outreach and Coordination

Initial opportunities and constraints meetings with city staff are discussed above under the heading “Additional Project Outreach” in *Section 5.1*. In addition to meetings with city staff and elected officials, meetings have also occurred with other North Coast Corridor stakeholder groups, including but not limited to lagoon foundations, community planning groups, chambers of commerce, members of the public, and local school districts. A series of stakeholder meetings were held relating to community enhancements to provide project information, address project status, and obtain specific input on issues under their purview. Following

circulation of the Draft EIR/EIS in 2010, additional input was received from stakeholders (see Appendix H of this Final EIR/EIS), and coordination regarding additional project refinement was reinitiated. These meetings are summarized in *Table 5.2*.

Table 5.2: Stakeholder Outreach and Coordination

Date	Organization	Topic(s) and/or Purpose of Meeting
12/05/2005	City of Carlsbad, Lennar Corporation, SDG&E	Cannon Road DAR
12/16/2005	Batiquitos Lagoon Foundation	Opportunities and Constraints Analysis – discuss community enhancement projects around Batiquitos Lagoon
01/26/2006	San Dieguito Park Joint Powers Authority	Conceptual community enhancement projects proposed for City of San Diego
01/27/2006	City of San Diego – Parks and Rec Department, Torrey Pines State Reserve	Conceptual community enhancement projects proposed for City of San Diego
02/03/2006	City of San Diego Trails Manager	Discuss potential trail connections
02/14/2006	Agua Hedionda Lagoon Foundation, Carlsbad Watershed Alliance	Opportunities and Constraints Analysis – discuss community enhancement projects around Agua Hedionda Lagoon and Batiquitos Lagoon
02/14/2006	Carmel Valley Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
02/21/2006	Torrey Hills Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
03/09/2006	Torrey Pines Community Planning Group	Conceptual community enhancement projects proposed for City of San Diego
03/21/2006	City of Carlsbad Council Members	Conceptual community enhancement projects proposed for City of Carlsbad
03/29/2006	Agua Hedionda Lagoon Foundation	Opportunities and Constraints Analysis – discuss community enhancement projects around Agua Hedionda Lagoon
06/07/2006	City of Oceanside, Oceanside High School, Oceanside Superintendent of Schools	Opportunities and Constraints Analysis – discuss community enhancements at Mission Avenue near Oceanside High School
04/22/2011	Quarterly Stakeholders Group	Meeting with NCC stakeholders
05/06/2011	Equinox Center Symposium	I-5 debate between Senator Kehoe and Laurie Berman of Caltrans
06/24/2011	Quarterly Stakeholders Group	Meeting with NCC stakeholders
09/13/2011	San Diego Regional Chamber of Commerce	Presentation to the Public Policy Committee
10/17/2011	City of San Diego, District 1	Team briefed councilmember on I-5 / Genesee interchange project, as well as NCC program
10/25/2011	Carlsbad Chamber of Commerce	Presentation to Land Use and Transportation Committee
11/01/2011	California Coastal Commission	Briefing with executive director
11/01/2011	California Coastal Commission	Presentation to Road's Edge Subcommittee

Table 5.2 (cont.): Stakeholder Outreach and Coordination

Date	Organization	Topic(s) and/or Purpose of Meeting
11/07/2011	Caltrans	Briefing with director on upcoming coastal permit process and role of outreach
11/17/2011	Leadership North County	Presentation to Land Use and Transportation Committee
12/01/2011	Oceanside Chamber of Commerce	Presentation to the Public Policy Committee
01/05/2012	San Diego North Economic Development Council	Meeting with Public Policy Committee
01/10/2012	Batiquitos Lagoon Foundation	Meeting with Foundation president to discuss NCC status and next steps
01/10/2012	San Dieguito River Park	Meeting with deputy director to discuss NCC status and next steps
01/12/2012	Golden Triangle Transportation Forum	Presentation made to forum participants about ongoing and proposed transportation projects in the area
01/13/2012	San Elijo Lagoon Conservancy	Briefing with Conservancy executive director about NCC status/next steps
01/19/2012	California State Assembly, District 74	Briefing with assembly member about NCC program
01/25/2012	California Senate, 39th District	Briefing with policy director of Senator Kehoe's office
01/30/2012	Prevent Los Angeles Gridlock Usurping the Environment (PLAGUE)	Briefing on NCC status/next steps
02/01/2012	California State Assembly, District 74	Materials requested during 1/19/2012 meeting with District 74 assembly member were provided
02/02/2012	Los Peñasquitos Lagoon Foundation	Meeting with California State Parks (lagoon stakeholder) and Foundation representative
02/03/2012	San Dieguito River Park	Briefing with executive director and the Citizens Advisory Committee on NCC status/next steps
02/07/2012	Agua Hedionda Lagoon Foundation	Presentation to executive director and the Board of Directors on NCC status/next steps
02/14/2012	City of San Diego, staff	Meeting regarding local coastal plan (LCP) process
02/15/2012	City of Oceanside, staff	Meeting regarding LCP process
02/15/2012	City of Del Mar, planning staff	Meeting with City planning manager regarding LCP process
02/17/2012	San Dieguito River Park	Briefing to Joint Powers Authority Board about NCC status/next steps
03/07/2012	California Coastal Commission	Presentation to the CCC about NCC status/next steps
04/04/2012	Buena Vista Lagoon Foundation	Briefing with Foundation executive director and president about NCC status/next steps
10/23/2012	Del Mar Hills Academy	Briefing with Superintendent, Assistant Superintendent, and school Principal on NCC status/next steps
11/15/2012	North County Bicycle Committees	Discussion of I-5 NC Bike Trail
03/28/2013	San Dieguito River Park	Discussion with Joint Powers Authority regarding connection to the NC Bike Trail connection
04/03/2013	CDFW, County of San Diego and San Elijo Lagoon Conservancy	Section 4(f) concurrence discussion
08/01/2013	County of San Diego	Section 4(f) concurrence discussion on San Elijo

Concurrence with Proposed Section 4(f) De Minimis Use

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) amends existing Section 4(f) legislation to allow the USDOT to determine that certain uses of a Section 4(f) land would have no adverse effect on the protected resource. Such *de minimis* impacts on publicly owned parks; recreational areas of national, State, or local significance; wildlife or waterfowl refuges; or lands from an historic site of national, State, or local significance are defined as those that do not adversely affect the activities, features, and attributes that qualify the resource for protection under Section 4(f) (49 USC 303[d]; 23 USC 138[d]). When FHWA proposes to make a *de minimis* impact finding, it must provide an opportunity for public comment on the proposed finding (included in the public comment period for the *I-5 NCC Project* Draft EIR/EIS). In addition, the official(s) with jurisdiction over the Section 4(f) resource in question must: a) with regard to historic properties, concur, in writing, with FHWA’s proposed finding of ‘no adverse effect’ or ‘no historic properties affected’ in accordance with 36 CFR part 800; or b) in the case of parks, recreation areas, and wildlife and waterfowl refuges, concur in writing that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection (23 CFR § 774.5[b]). To comply with Section 6009(a), FHWA and Caltrans are coordinating with the SHPO, who has jurisdiction over the two historic Built Environment 4(f) resources, and informed them that the proposed project’s use of the 4(f) resource is being considered for a *de minimis* finding. Two of these historic properties would not be adversely affected. The Section 4(f) resources are summarized in *Section 3.1.3* and *Section 3.8*, and detailed in Appendix A.

The PDT was assembled by Caltrans and FHWA in 2000 to serve as the technical advisory committee and internal decision-making body for the project. This monthly PDT consists of Caltrans staff, Caltrans staff on behalf of FHWA, and representatives from other public agencies including USFWS, USACE, NOAA/NMFS, CDFW, RWQCB, CCC, SHPO, NAHC, Camp Pendleton, and the Cities of San Diego, Del Mar, Solana Beach, Encinitas, Carlsbad, and Oceanside. FHWA and Caltrans have undertaken extensive efforts to integrate the proposed project with the adjacent/adjoining cities. There were several community meetings held within the project area, as well as formal and informal consultations with the cities and jurisdictions. Coordination occurred within these meetings throughout the development of the project that informed officials with jurisdiction over a specific resource that potential use of the resource is proposed. The proposed *de minimis* determinations were prepared in consultation with the agencies having jurisdiction over the resources and centered on a) significance of the property, b) primary purpose of the land, c) proposed use and impacts, and d) proposed measures to avoid and/or minimize harm. Efforts between FHWA, Caltrans, and these cities to work cooperatively and to avoid conflicts with State transportation facilities are ongoing. Written concurrence has been received from various officials that the project is either exempt from Section 4(f) or would not adversely affect properties proposed for a *de minimis* impact finding, as summarized below.

- For the San Dieguito River Park, Caltrans received an email on May 22, 2013 noting that the SDRP administrator (the JPA) concurs that the “impact” associated with connecting the trails would be beneficial in nature and is therefore exempt from Section 4(f) per 23 CFR 744.13(g) (*Figure 5-5.1*).
- For the San Elijo Lagoon Ecological Reserve, concurrence in a Section 4(f) *de minimis* finding was received from the CDFW on August 30, 2013, from the County of San Diego on September 10, 2013, and from the San Elijo Lagoon Conservancy on August 12, 2013 (*Figures 5-5.2 through 5-5.4*).

- For Agua Hedionda Lagoon, concurrence in a Section 4(f) *de minimis* finding was received from the City of Carlsbad on May 06, 2013 (*Figure 5-5.5*).

Other communication regarding park and recreational properties includes the following:

- For Oak Park, an email received from the City of Carlsbad on February 21, 2013 concurs that this facility is considered a Special Use Area, without significant recreational use.
- For Pio Pico Park, an email received from the City of Carlsbad on February 21, 2013 concurs that this facility is considered a Special Use Area, without significant recreational use.
- For Cottonwood Creek Park, an email received from the City of Encinitas on March 8, 2013 concurs that the impacts are temporary occupancy of the land and exempt as defined by 23 CFR 774.13(d).
- For Paul Ecke Park, an email received from the City of Encinitas on September 16, 2013 concurs that the impacts would be temporary occupancy of the land and exempt as defined by 23 CFR 774.13(d).

State Historic Preservation Officer Coordination (SHPO)

As required by federal and State law, an agency must take into account how its undertaking may affect historic properties/historical resources listed in or eligible for listing in the NRHP and the CRHR. The SHPO is the primary consulting agency that FHWA and Caltrans must coordinate with for concurrence determinations on eligibility and project effects to eligible resources. The HPSR is submitted to the SHPO to: (1) document the Native American consultation efforts; (2) identify cultural resources within a project's APE; (3) seek its concurrence with NRHP and CRHR eligibility determinations; (4) identify project effects to eligible resources; and (5) propose methods to resolve adverse effects to eligible resources. SHPO consultation and coordination is summarized in *Table 5.3*.

Table 5.3: SHPO Consultation and Coordination

Date	Topic(s)
03/16/2007	Caltrans submits HPSR and technical studies to SHPO for review and concurrence with eligibility determinations
04/29/2007	SHPO requests 30-day extension to complete HPSR review
07/02/2007	No SHPO response; Caltrans notifies SHPO it is moving forward in the Section 106 process
12/04/2007	Caltrans submits FOE document to FHWA for review
12/27/2007	FHWA concurs in FOE findings and forwards document to SHPO for its review
03/17/2008	SHPO comments on FOE findings (see <i>Figure 5-5.6</i>)
04/14/2010	Caltrans submits Notification of No Adverse Effects with Standard Conditions-(ESAs) to SHPO
05/12/2010	SHPO agrees that No Adverse Effects with Standard Conditions (i.e., ESAs) would suitably protect archaeological sites for biological mitigation activities (see <i>Figure 5-5.7</i>)
07/01/2013	Caltrans notifies FHWA of APE revisions and requests FHWA to consult with SHPO (see <i>Figure 5-5.8</i>)
07/12/2013	FHWA notifies SHPO of APE revisions and requests SHPO concurrence with Finding of No Adverse Effect (see <i>Figure 5-5.9</i>)
09/11/2013	SHPO concurs with Finding of No Adverse Effect without standard conditions (see <i>Figure 5-5.10</i>)

U.S. Fish and Wildlife Service

Early coordination with the USFWS took place in order to determine sensitive species within the project area. The USFWS provided this information regarding listed endangered, threatened, and proposed species within the area in letters dated January 26, 2005 and November 13, 2007 (see *Figure 5-5.11*), and confirmed continued accuracy of the listing during September 23, 2013 coordination with Sally Brown of the USFWS. The USFWS also provided a Biological Opinion for the *I-5 NCC Project*, dated December 31, 2012, which reviews the project's effects on federally listed species and critical habitat in accordance with Section 7 of the Endangered Species Act of 1973, and also summarizes the extensive coordination between Caltrans and the USFWS (see Appendix O).

Native American Heritage Commission and Native American Coordination

Consultation with NAHC, and appropriate tribes, and Native American individuals has been ongoing since the earliest days of the project dating back to 2002, when the first archaeological survey for the project was undertaken (*Table 5.4*). Consultation would continue until all project-related activities have been completed.

Table 5.4: NAHC and Native American Consultation and Coordination

Date	Topic(s)
2002 through 2006	Native American tribes contacted to provide monitors for archaeological test excavations; monitors present during all subsurface excavation efforts
11/02/2004	NAHC reply; sacred lands search is negative; a list of contacts is provided
08/05/2005	Manzanita Band of the Kumeyaay Nation contacts Caltrans; requests monitors be present during any subsurface investigations
11/14/2005	Caltrans requests an updated list of appropriate Native American groups/individuals in the project region
11/20/2005	Kwaaymii/Laguna band monitors Carmen Lucas sends CA-SDI-16639 letter and photographs from monitoring effort
12/04/2005	Kumeyaay Monitor Clint Linton sent letter documenting monitoring effort for site CA-SDI-4553
12/18/2005	Kwaaymii/Laguna band monitors Carmen Lucas sends CA-SDI-12121 letter and photographs from monitoring effort
01/13/2006	Letters sent to tribes/individuals identified by NAHC seeking their input on information regarding cultural issues within the project's footprint
01/20/2006	Pala Band of Mission Indians replies; informs Caltrans project is outside their traditional territory
01/26/2006	Native American Cultural Resource Consultation replies; requests Native American monitors be present during construction
03/12/2006	Soboba Band of Mission Indians replies; suggests consultation with other Luiseño tribes closer to the project area
07/27/2006	Caltrans meets with Mel Vernon a Luiseño Educator and Ruth Calac a Luiseño, to discuss project, avoidance procedures, and the interpretive display at the scenic overlook
09/22/2006	Kwaaymii/Laguna Band of Indians sends Caltrans Native American monitor report for CA-SDI-17928
12/14/2006	Caltrans letter to KCRC; request a meeting to arrange for repatriation of one human bone from archaeological site CA-SDI-17928
01/12/2007	Human bone repatriated to KCRC
03/14/2007	Caltrans met with Kwaaymii and KCRC; field visit to CA-SDI-17928

Table 5.4 (cont.): NAHC and Native American Consultation and Coordination

Date	Topic(s)
05/23/2007	Kwaaymii representative approves soundwall for portion of CA-SDI-12670 to be adversely affected
05/24/2007	Caltrans contacts NAHC for MLD for CA-SDI-12670 if soundwall is constructed there
06/25/2008	Letter from Advisory Council on Historic Preservation (ACHP) in response to undertaking notification declining to participate in Section 106 process (see <i>Figure 5-5.12</i>)
08/07/2008	Caltrans meets KCRC to present Archaeological Treatment Plans for CA-SDI-12670 and CA-SDI-17928
01/17/2013	<p>Caltrans contacts Carmen Lucas (Kwaaymii/Laguna) regarding notification that Caltrans changed the CA-SDI-7296 effect finding from No Adverse Effect with Standard Conditions (ESA) to No Historic Properties Affected since the original justification was based on an error of fact. Archaeological and Native American monitors would be present during planting activities at this biological mitigation parcel.</p> <p>Caltrans also informs her that Caltrans would not build two proposed soundwalls. With these changes, site CA-SDI-12670 would be avoided and site CA-SDI-17928 would be excluded from this undertaking, resulting in the project's Finding of Effect revision to No Adverse Effects-Standard Conditions (ESA). Because adverse effects to these resources would be avoided, an MOA would not be required for this undertaking because all impacts to National Register eligible sites would be avoided. Furthermore, the 2007 FOE is no longer applicable to this project.</p>
01/17/2013, 01/24/2013, 03/06/2013, 03/19/2013	Caltrans left messages for Clint Linton (Kumeyaay), to inform him regarding an update on CA-SDI-7296 effect finding (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013	Caltrans contacts Mel Vernon (Luiseño), updating him of changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
03/21/2013	Caltrans contacts Clint Linton (Kumeyaay) to update him on CAS-SDI-7296 effect finding (see above contact topic) and changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013, 01/24/2013	Caltrans left messages for Steve Banegas (KCRC).
03/06/2013	Steve Banegas (Kumeyaay/KCRC) referred Caltrans to contact Bernice Paipa (Kumeyaay/KCRC) in his place.
03/06/2013, 03/07/2013, 03/19/2013	Caltrans left messages for Bernice Paipa (Kumeyaay/KCRC).
01/17/2013, 01/24/2013	Caltrans left messages for Merri Lopez-Keifer (San Luis Rey Band of Mission Indians).
03/06/2013	Caltrans contacts Merri Lopez-Keifer (San Luis Rey Band of Mission Indians) to update her of changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).
01/17/2013, 01/24/2013, 03/06/2013	Caltrans left messages for Carmen Mojado and Cami Mojado (San Luis Rey Band of Mission Indians.)
03/19/13	Caltrans contacts Cami Mojado (San Luis Rey Band of Mission Indians) to update her on changes to the <i>I-5 NCC Project</i> as a result of two soundwalls not being constructed (see above contact topic dated 01/17/2013 with Carmen Lucas).

[4910-22]

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

ENVIRONMENTAL IMPACT STATEMENT: SAN DIEGO COUNTY, CALIFORNIA

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of Intent

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in San Diego County, California.

FOR FURTHER INFORMATION CONTACT: Cesar Perez, South Region Team Leader, Federal Highway Administration, 650 Capitol Mall Suite 4-100, Sacramento, California 95814, Telephone: (916) 498-5065.

SUPPLEMENTARY INFORMATION: The FHWA, in cooperation with the California Department of Transportation will prepare an environmental impact statement (EIS) on a proposal to improve Interstate 5 (I-5) in San Diego County, California. The proposed improvement would involve the addition of high occupancy vehicle (HOV) lanes/Managed Lanes and general purpose lanes to existing I-5 from the City of San Diego to the City of Oceanside for a distance of approximately 28 miles.

Improvements to the corridor are considered necessary to provide for the existing and projected traffic demand. Also, included in this proposal are the addition of auxiliary lanes, direct access ramps (DARs), and interchange improvements where needed. Alternatives under consideration include (1) taking no action; (2) adding two HOV lanes in each direction plus one general purpose lane in each direction. Incorporated into and studied with the build alternative will be design variations at the six lagoons along the corridor. Alternatives associated with those areas will include (1) retaining walls within existing fill slopes; (2) widening on existing fill slopes; (3) removing existing fill in lagoons and bridging the lagoons; (4) elevated HOV lanes on an independent structure.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State, and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. A series of public scoping meetings will be held in each city along the north coast I-5 corridor between January and February 2003. Public notice will be provided indicating the time and place of the scoping meetings.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments, and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

Figure 5-1.1: Notice of Intent

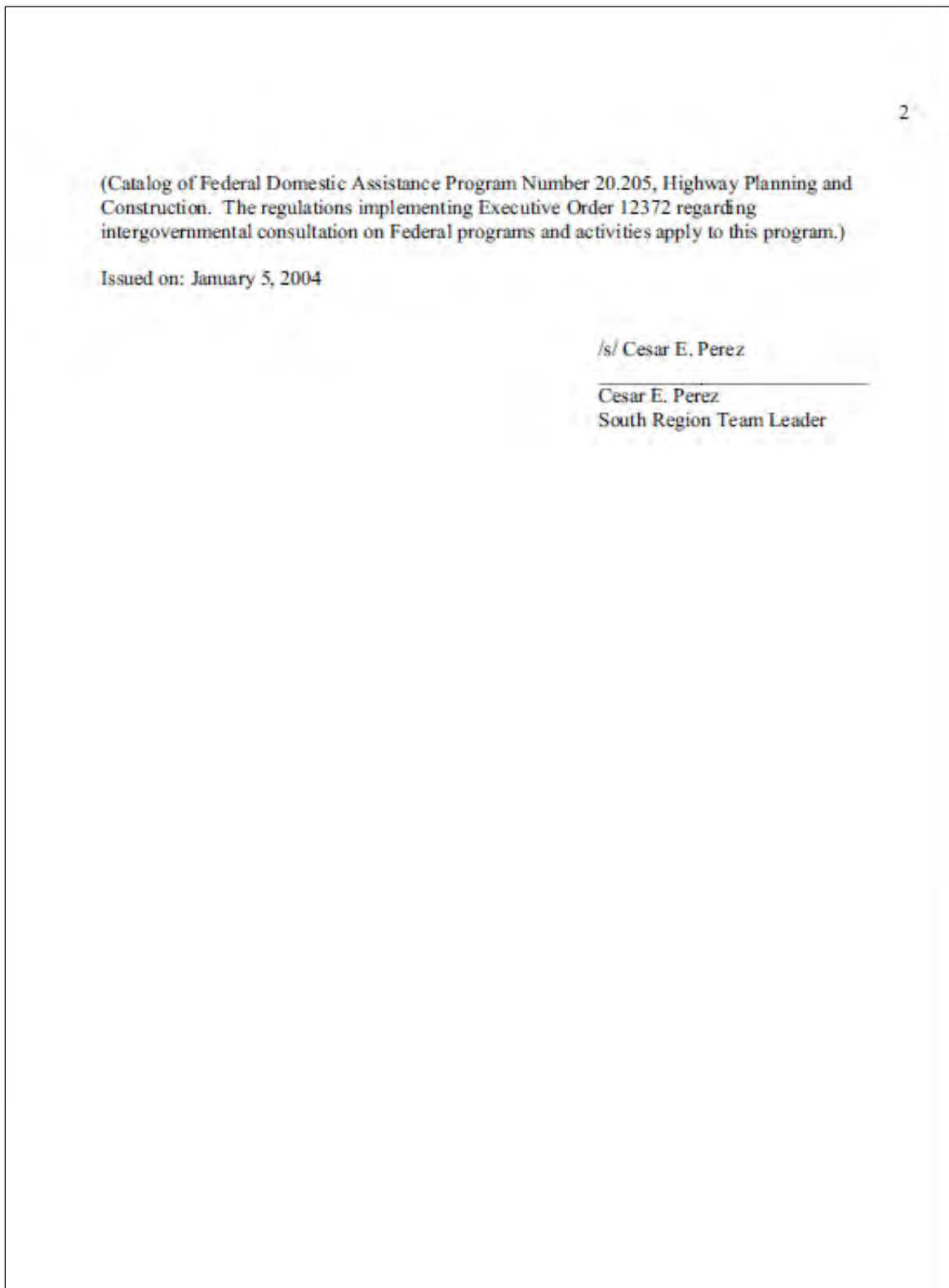
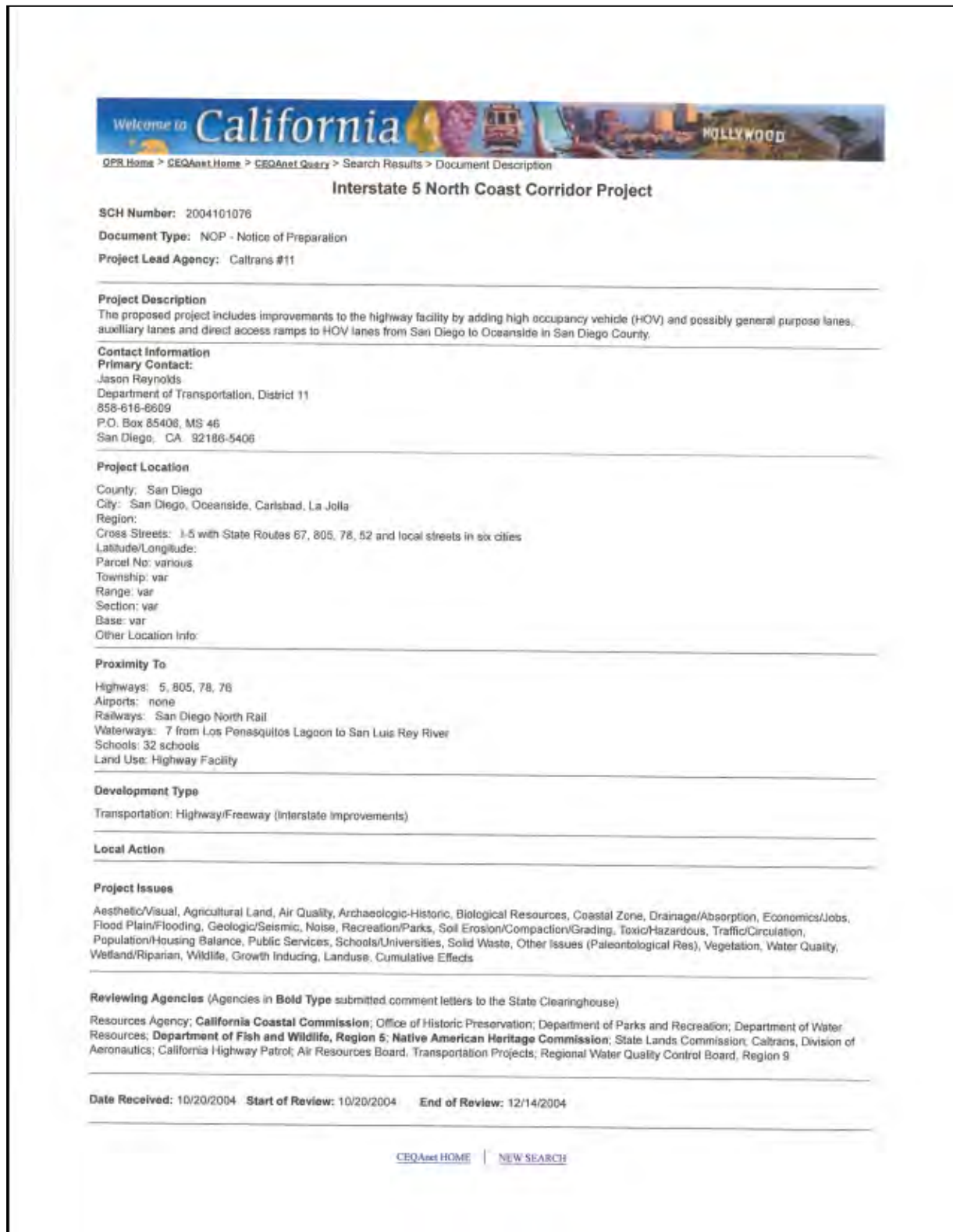



Figure 5-1.1 (cont.): Notice of Intent



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Interstate 5 North Coast Corridor Project

SCH Number: 2004101076
Document Type: NOP - Notice of Preparation
Project Lead Agency: Caltrans #11

Project Description
 The proposed project includes improvements to the highway facility by adding high occupancy vehicle (HOV) and possibly general purpose lanes, auxiliary lanes and direct access ramps to HOV lanes from San Diego to Oceanside in San Diego County.

Contact Information
Primary Contact:
 Jason Reynolds
 Department of Transportation, District 11
 858-618-8609
 P.O. Box 85408, MS 46
 San Diego, CA 92186-5408

Project Location
 County: San Diego
 City: San Diego, Oceanside, Carlsbad, La Jolla
 Region:
 Cross Streets: I-5 with State Routes 67, 805, 78, 52 and local streets in six cities
 Latitude/Longitude:
 Parcel No: various
 Township: var
 Range: var
 Section: var
 Base: var
 Other Location Info:

Proximity To
 Highways: 5, 805, 78, 76
 Airports: none
 Railways: San Diego North Rail
 Waterways: 7 from Los Peñasquitos Lagoon to San Luis Rey River
 Schools: 32 schools
 Land Use: Highway Facility

Development Type
 Transportation: Highway/Freeway (Interstate Improvements)

Local Action

Project Issues
 Aesthetic/Visual, Agricultural Land, Air Quality, Archaeologic-Historic, Biological Resources, Coastal Zone, Drainage/Absorption, Economics/Jobs, Flood Plain/Flooding, Geologic/Seismic, Noise, Recreation/Parks, Soil Erosion/Compaction/Grading, Toxic/Hazardous, Traffic/Circulation, Population/Housing Balance, Public Services, Schools/Universities, Solid Waste, Other Issues (Paleontological Res), Vegetation, Water Quality, Wetland/Riparian, Wildlife, Growth Inducing, Landuse, Cumulative Effects

Reviewing Agencies (Agencies in **Bold Type** submitted comment letters to the State Clearinghouse)
 Resources Agency; **California Coastal Commission**; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; **Department of Fish and Wildlife, Region 5**; **Native American Heritage Commission**; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Air Resources Board, Transportation Projects; Regional Water Quality Control Board, Region 9

Date Received: 10/20/2004 **Start of Review:** 10/20/2004 **End of Review:** 12/14/2004

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Figure 5-1.2a: Notice of Preparation to State Clearinghouse



SCH NO. _____

FILED
Gregory J. Smith, Recorder/County Clerk

OCT 20 2004

BY KV DEPUTY

NOTICE OF PREPARATION

To: County Clerk
County Administration Center
1600 Pacific Highway, Room 260

San Diego CA 92101

From: California Dept. of Transportation
District 11

2829 Juan Street
San Diego, CA 92110

Subject: Notice of Preparation of a Draft Environmental Impact Report
Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Project Title: North Coast Interstate 5 Corridor Project

Project Location: On Interstate 5 from La Jolla Village Drive in San Diego north along I-5 to Vandegrift Boulevard in Oceanside, California and on Interstate 805 from just north of Mira Mesa Blvd to the Interstate 5/Interstate 805 merge.

Project Description: Caltrans proposes to add high occupancy vehicle (HOV) lanes in each direction along the corridor. One general purpose lane in each direction may also be added from Del Mar Heights Road to State Route 78. The project would also include interchange improvements and auxiliary lanes where needed and approximately five direct access ramps (DARs) to allow transit vehicles and carpoolers a transition point into the designated HOV lanes.

This is to inform you that the California Department of Transportation in cooperation with the Federal Highway Administration will be the lead agency and will prepare an environmental impact report/statement (EIR/EIS) for the project described within this notice. Your participation as a responsible agency is requested in the preparation and review of this document.

We need to know the views of your agency as to the scope and content of the environmental information that is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval actions for the project.

A more detailed project description, location map, and the potential environmental effects are contained in the attached materials.

A copy of the Initial Study (is) (is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please direct your response to Jason A. Reynolds, Chief-Environmental Analysis Branch A, MS 46 Telephone (858) 616-6609 at the address shown above. Please supply us with the name for a contact person in your agency.

Date 10/15/04 Signature Jason A. Reynolds
Title Branch Chief

Figure 5-1.2b: Notice of Preparation to San Diego County Clerk



Commander
Eleventh District

U. S. Coast Guard Island, Bldg 50-2
Alameda, CA 94501-5100
Staff Symbol: (dpw)
Phone: (510) 437-3514
Fax: (510) 437-5836

16590

Los Penasquitos Lagoon/River
San Dieguito Lagoon
San Elijo Lagoon
Batiqitos Lagoon
Agua Hedionda Lagoon
Buena Vista Lagoon
San Luis Rey River
Carmel Valley Creek
Loma Alta Creek

December 13, 2012

California Dept. of Transportation
Attn: Ms. Shay Lynn M. Harrison
4050 Taylor Street, M. S. 242
San Diego, CA 92100

Dear Ms. Harrison:

As discussed with Ms. Sandra Lavender at Caltrans, we have completed our review of information provided concerning the ongoing Interstate 5 North Coast Corridor Project in San Diego County, California.

The I-5 bridge crossings on the following waterways are located on reaches of the waterways that are considered navigable. However, the waterways are not navigated by anything larger than small motorboats and the waterways meet the criteria for Advance Approval of bridges pursuant to Title 33, Code of Federal Regulations, Part 115.70.

- a. San Diego River.
- b. Los Penasquitos Lagoon and River.
- c. San Dieguito Lagoon.
- d. San Elijo Lagoon.
- e. Batiqitos Lagoon.
- f. Agua Hedionda Lagoon.

The General Bridge Act of 1946 requires the approval of the location and plans of bridges prior to the start of construction (33 U.S.C. 525). The Commandant has given advance approval to the location and plans of bridges to be constructed across reaches of waterways considered navigable, but not actually navigated by other than logs, log rafts, rowboats, canoes and small motorboats. In such cases, the clearances provided for high water stages will be considered adequate to meet the reasonable needs of navigation (33 C.F.R. 115.70).

No individual Coast Guard bridge permit will be required for this part of the project (COMDTINST M16590.5C). This does not relieve the applicant from complying with all applicable federal, state and local laws, and associated permit requirements.

Figure 5-3.1: U.S. Coast Guard Letter Regarding Bridges

16590
December 13 , 2012

If the character of navigation changes, such that one of the waterways no longer meets advance approval criteria, the Coast Guard will promptly withdraw the advance approval designation for the waterway, and notify all interested parties.

A photograph and as-built drawings (8½x11-inch) of the bridges are required upon completion of the project. The drawings should indicate the elevation of the lowest hittable part of the bridges above mean high water, or mean sea level, over the channel.

Our review and determination remains valid for a period of two years from the date of this letter and becomes null and void if the project has not begun within that time frame.

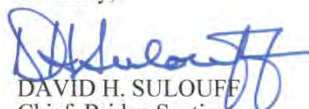
Please notify our office upon beginning and completing the bridge-related, over-water portions of the project, with 30 days advance notice, so we may provide Notice to Mariners.

The I-5 bridge crossings of the following waterways are located on reaches of the waterways considered to be non-navigable. Under the provisions of the Coast Guard Authorization Act of 1982, the Coast Guard has determined that these projects do not require Coast Guard involvement for bridge permit purposes:

- a. Buena Vista Lagoon
- b. San Luis Rey River
- c. Carmel Valley Creek
- d. Loma Alta Creek

You may contact Mr. Chris Cerles, Project Manager, by telephone at (510) 437-3461, to discuss this project.

Sincerely,



DAVID H. SULOUFF
Chief, Bridge Section
Eleventh Coast Guard District
By direction of the District Commander

Copy: U. S. Army Corps of Engineers, Los Angeles District
Coast Guard Sector San Diego

Figure 5-3.1 (cont.): U.S. Coast Guard Letter Regarding Bridges

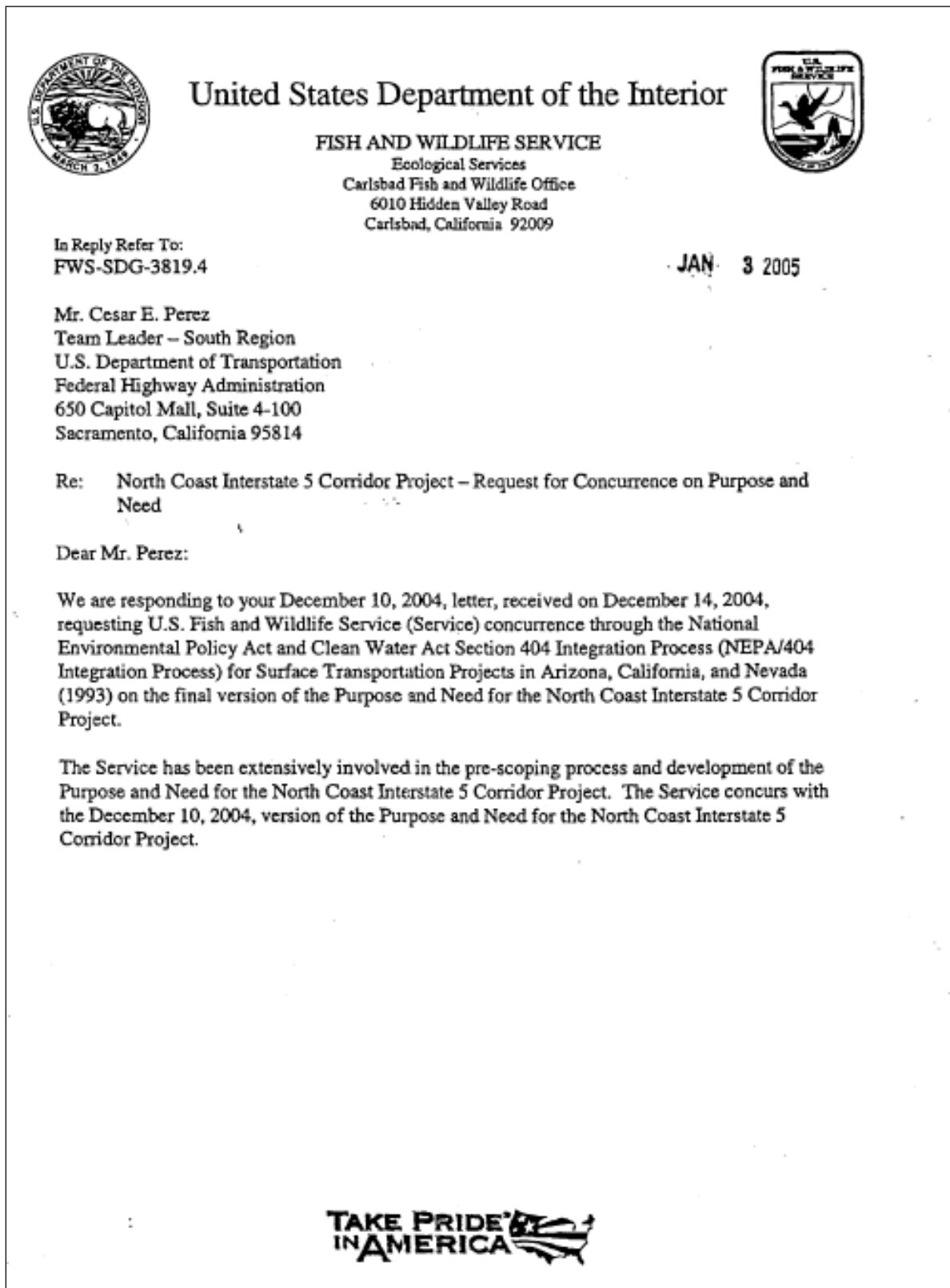


Figure 5-4.1: USFWS Concurrence with Purpose and Need