

# Memorandum

To: CHAIR AND COMMISSIONERS  
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: June 27-28, 2012

Reference No.: 2.2c.(2)  
Action Item

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Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING  
11-SD-11, PM 0.0/2.8, 11-SD-905, PM R8.4/10.1, 11-SD-125, PM 0.5  
RESOLUTION E-12-35**

## **RECOMMENDATION:**

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolutions E-12-35.

## **ISSUE:**

The attached resolution proposes to approve for consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Routes 11, 905, and 125 in San Diego County. Development of a new port of entry and extension of State Route (SR) 11 at the U.S./Mexico border in and near the city of Chula Vista. (PPNO 0999)

This project in San Diego County will construct a new toll highway, SR 11, with connectors to SR 905 and associated modifications to SR 905; the new Otay Mesa East Port of Entry; and a Commercial Vehicle Enforcement Facility. The project is programmed in the Trade Corridor Improvement Fund (TCIF). The total estimated project cost is \$704,200,000 for capital and support. Construction is estimated to begin in Fiscal Year 2013-14. The scope, as described for the preferred alternative, is consistent with the project scope programmed in the TCIF baseline agreements.

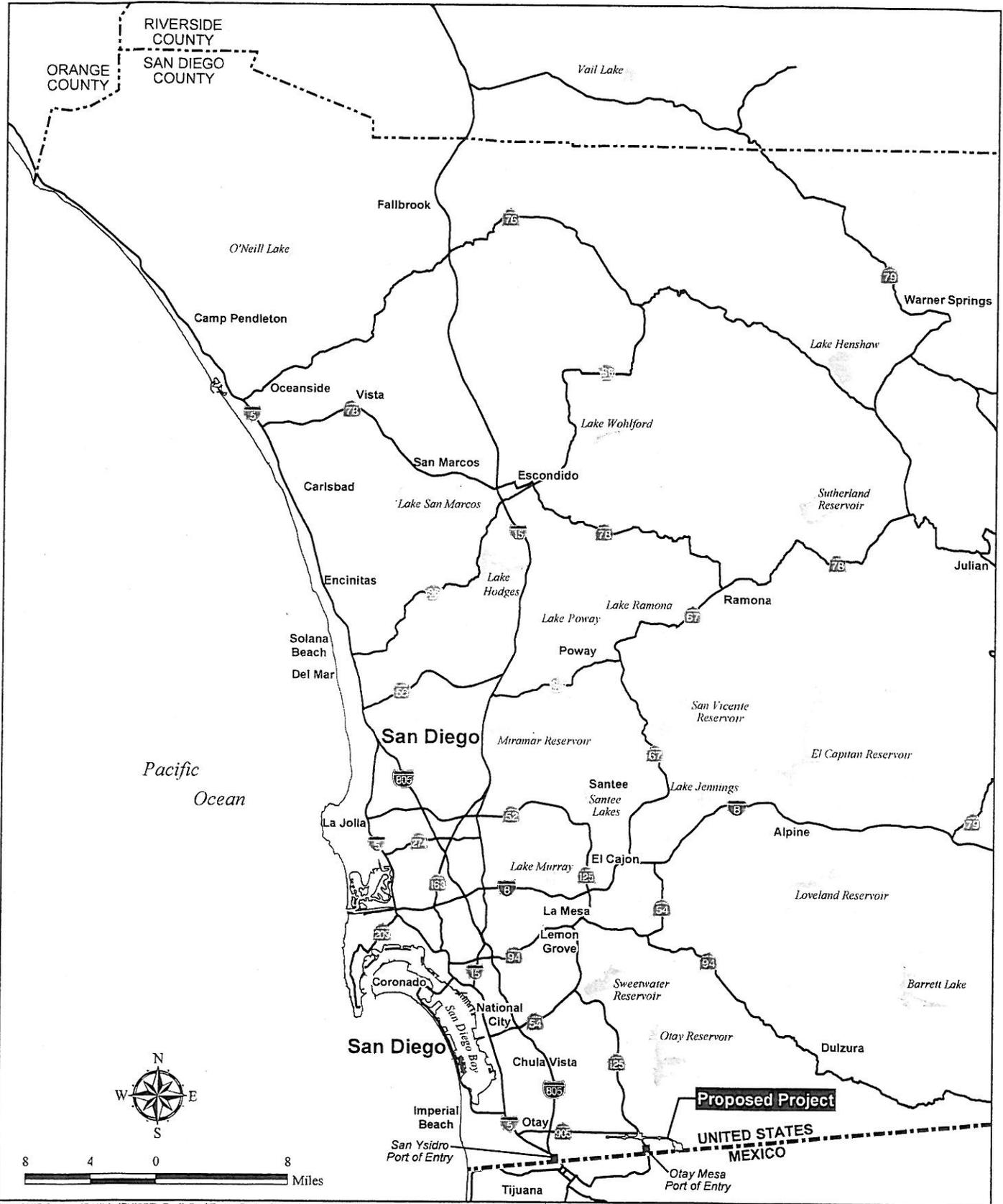
A copy of the FEIR has been provided to Commission staff. Resources that may be impacted by the project include: land use, growth, noise, biological, socio-economics, cultural, paleontological, and wetlands. Potential impacts associated with the project that cannot be mitigated to below significance through proposed mitigation measures include traffic, visual/aesthetics, growth, and climate change. As a result, a Final Environmental Impact Report including a Statement of Overriding Considerations was prepared for the project.

Attachments

## **CALIFORNIA TRANSPORTATION COMMISSION**

### **Resolution for Future Consideration of Funding 11-SD-11, PM 0.0/2.8, 11-SD-905, PM R8.4/10.1, 11-SD-125, PM 0.5 Resolution E-12-35**

- 1.1** **WHEREAS**, the California Department of Transportation (Department) has completed an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Routes 11, 905, and 125 in San Diego County. Development of a new port of entry and extension of State Route 11 at the U.S./Mexico border in and near the city of Chula Vista. (PPNO 0999)
- 1.2** **WHEREAS**, the Department has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and
- 1.4** **WHEREAS**, Findings were made pursuant to the State CEQA Guidelines.
- 1.5** **WHEREAS**, a Statement of Overriding Considerations was prepared; and
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby support approval of the above referenced project to allow for consideration of funding.



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## Regional Location Map

STATE ROUTE 11 AND OTAY MESA EAST PORT OF ENTRY - TIER II EIR/EIS

Figure 1-1

**CALIFORNIA DEPARTMENT OF TRANSPORTATION**  
**STATEMENT OF OVERRIDING CONSIDERATIONS FOR**  
**STATE ROUTE 11 AND THE OTAY MESA EAST PORT OF ENTRY – TIER II**  
**IN SAN DIEGO COUNTY, CALIFORNIA**

The following information is presented to comply with Section 15093 of the State California Environmental Quality Act (CEQA) Guidelines, and Section 1509.6 of the Department of Transportation (Caltrans) and California Transportation Commission Environmental Regulations. Reference is made to the Tier II Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the project, which is the basic source for the information.

The following impacts have been identified as significant and not fully mitigable. Although mitigation measures are proposed for these issues, their implementation would not fully mitigate impacts; these impacts would remain significant and unmitigable.

Transportation/Traffic (project and cumulative levels)

Implementation of any of the build alternatives would have an adverse effect in 2035 on a number of freeway segments, roadway segments, and intersections, compared to the No Build Alternative. Although measures have been identified to avoid, minimize or mitigate these project impacts, including amendment of current circulation element roadway classifications and Regional Transportation Implementation Plan (RTIP) plans for regional transportation facilities, these measures are not within the control or responsibility of Caltrans.

Visual/Aesthetics (cumulative level only)

Cumulatively, the proposed project in combination with other anticipated development in eastern Otay Mesa would considerably change the visual environment of the area from open space to urban uses, and would contribute to cumulative visual impacts within the East Otay Mesa Specific Plan (EOMSP) area following project implementation. This change has been previously contemplated in the environmental documents for the EOMSP and the updates to that plan, but would nevertheless represent a substantial adverse cumulative visual impact, for which no feasible avoidance, minimization or mitigation measures by the project are available. Mitigation for cumulative visual impacts by other projects is governed by those project proponents and the local jurisdictions with authority over the projects. Measures to avoid or reduce potential impacts include implementation of local land use plans, which provide for orderly, timely, and environmentally-sensitive land use development. The direct and cumulative impacts of, and necessary mitigation for, the developments on Otay Mesa are discussed in the respective project environmental documents processed through the local jurisdictions. While mitigation measures listed in the Tier II Final EIR/EIS would serve to avoid and minimize project-specific impacts, cumulative impacts under CEQA would remain significant, unavoidable, and unmitigable.

### Growth-inducing Impacts (cumulative level only)

The Preferred Alternative would have a significant growth-related impact due to secondary/indirect effects of growth in Otay Mesa and East Otay Mesa. This is considered a significant impact because the environmental impacts from continued development/growth would result in loss of biological, cultural, and open space resources, loss of land suitable for agriculture, and increased noise and air pollution.

Mitigation for cumulative growth impacts is governed by local land use plans, which provide for orderly, timely, and environmentally-sensitive land use development. Additional infrastructure and public service needs resulting from future developments will be the responsibility of developers as directed by local agencies and utility districts. No measures are proposed for this project to mitigate growth impacts. The impacts of and necessary mitigation for the developments on Otay Mesa would be discussed in the respective project environmental documents processed through the local jurisdictions.

The proposed project also has the potential to "foster economic or population growth" in the greater California or U.S. regions, as defined in the CEQA Guidelines, by removing an obstacle to that growth (i.e., the border crossing bottleneck). Identification and analysis of regional or national growth-induced environmental impacts of the project, however, would be speculative due to the diffused geographical and temporal nature of this growth. The probable existence of future growth may be reasonably foreseeable, but its location and extent are not. Although measures likely exist to avoid, minimize or mitigate growth-induced environmental impacts of the project, they are not within the control or responsibility of Caltrans.

CEQA guidance indicates that a Lead Agency is not required to analyze a particular impact that has been found to be too speculative for evaluation (CEQA Guidelines Section 15145). Nevertheless, it is worth noting that wherever the growth associated with the proposed project were to occur, it would be subject to the land use and environmental plans and regulations applicable to that location.

The cumulative growth-induced impacts of the project under CEQA would remain significant, unavoidable, and unmitigable.

### Climate Change

While construction would result in a slight increase in greenhouse gas (GHG) emissions during construction, it is anticipated that any increase in GHG emissions due to construction would be offset by improvement in regional operational GHG emissions resulting from the project. Per Section 4.6 of the Tier II Final EIR/EIS, it is Caltrans' determination that, in the absence of further regulatory or scientific information related to GHG and CEQA significance, it is too speculative to make a determination regarding significance of the project's direct impact and its contribution on the cumulative scale to climate change. However, Caltrans is firmly committed to implementing measures included in the Tier II Final EIR/EIS to help reduce the potential effects of the project.

## Overriding Considerations

Having considered all of the foregoing, Caltrans finds that overriding economic, legal, social, technological, or other benefits of the project outweigh the aforesaid significant and unavoidable traffic, visual, growth-induced and climate change effects on the environment. Overriding considerations that support approval of this recommended project are as follows.

### Project Benefits

Two international ports of entry (POEs), San Ysidro and Otay Mesa, currently link San Diego and Tijuana, while a third POE is located east of the San Diego metropolitan area at Tecate. Together, these three POEs serve as the gateway for all pedestrian traffic and vehicular movement of people and goods between the San Diego region and Baja California, Mexico. The proposed project would constitute the second tier of planning and environmental clearance for the development of a new POE in the San Diego/Tijuana region, along with development of the associated roadway (SR-11) that would connect the new POE to the existing and planned roadway system in the area (including the connection of SR-11 with the SR-905 facility that is currently under construction), as well as a new commercial vehicle enforcement facility (CVEF) for the California Highway Patrol (CHP) inspection of trucks entering California from Mexico.

Transportation and land use planning agencies on both sides of the border have identified the long-term need for a third border crossing and associated transportation facilities in the San Diego/Tijuana area, in addition to completing planned improvements to the existing POEs. The new POE is needed because the capacities of the existing POEs in the region are currently being exceeded, causing excessive border wait times for those engaged in commercial and personal vehicle trips.

Current conditions reflect long crossing waits that have major economic consequences for the greater regional economy. The delays at the Otay Mesa POE for commercial freight crossings generated an estimated loss for the San Diego economy that ranged between \$212 million and nearly \$1.2 billion in 2008. The estimated loss in employment for the San Diego economy in 2008 ranged between 1,127 and 6,301 jobs. Nationally, in 2008, the delays at San Diego County POEs for commercial truck crossings generated an estimated loss ranging from \$584 million to as high as \$3.2 billion, while job losses ranged from 3,512 to 19,580 jobs.

Border delays are expected to increase and the economic losses incurred by the regional and national economies are estimated to more than double in the next ten years, unless substantial improvements in border crossing and transportation infrastructure and management take place. The new Otay Mesa East POE, SR-11 and the new CVEF are a critical component of these improvements, designed to address the problem of border congestion.

Implementation of the project would result in the following benefits:

- Increased inspection processing capacities for commercial and personal vehicles and pedestrians in the San Diego/Tijuana region.

- Reduced northbound vehicle and pedestrian queues and wait times to cross the border in the region.
- Accommodation of projected increases in international trade and personal cross-border travel in the region in a safe and secure manner.
- Reductions in congestion at existing POEs.
- Accommodation of commercial goods movement and cross-border travel to and from the Otay Mesa East POE.
- Allowing bicycle and transit access to the POE, including the provision of sufficient space adjacent to the POE (and accommodated within the identified POE impact footprint) for possible future development of a transit center (designed and constructed by others), thereby preserving the future opportunity to implement transit service to the POE and reducing local and cross-border personal vehicle trips.
- Where feasible and in compliance with federal and state regulations, support of the 1998 Letter of Intent entitled "Binational Corridor Preservation for State Route 11 – Tijuana/ Rosarito 2000 and Site Designation for the East Otay Mesa-Mesa de Otay II Port of Entry" signed by SANDAG, City of San Diego, County, City of Tijuana, City of Rosarito, State of Baja California, and Caltrans. This Letter of Intent established the process by which the roadway corridors could be preserved for future construction, and the East Otay Mesa - Mesa de Otay II international border crossing could be developed, including compliance with the federal procedures within each country.
- Minimization of impacts to the aquatic environment, where practicable and feasible.
- Provision of a direct connection from the existing and planned highway system through a currently undeveloped area to the new Otay Mesa East POE, with adequate capacity to accommodate expected flows of the personal and commercial vehicle traffic through the POE.
- Enabling the complementary planning and development of the surrounding roadway infrastructure and land uses, including appropriate interchange locations.
- Limiting the ultimate cost of implementing a new border crossing and associated transportation facilities as the surrounding land use and infrastructure constraints increase.

### The Preferred Alternative

After full consideration of the entire administrative record for the proposed project, including the environmental data and all public and agency comments during the Draft EIR/EIS public review process, Caltrans and FHWA identified the Preferred Alternative for the project. The Preferred Alternative represents a refinement of the Two Interchange Alternative that also incorporates the SR-125 Connector Variation and a connection associated with the Siempre Viva Road Full Interchange Variation; these variations were addressed in the Tier II Draft EIR/EIS. The majority of commenters expressed a preference for a design with interchanges at Enrico Fermi Drive and Siempre Viva Road, consistent with the tentative design for SR-11 that is reflected in the EOMSP. A two-interchange design with full interchanges in both locations would provide the greatest possible connectivity to planned and existing Circulation Element roads in the EOMSP area, but based on traffic studies and operational analysis, it was determined that a full interchange at Siempre Viva Road, in addition to not meeting

FHWA standards, would not be operationally feasible. The lack of queue storage capacity would create conflicts as vehicles merge to access the POE, or need to cross multiple lanes in a short distance as they leave the POE. The requirement of separating the commercial and non-commercial vehicles complicates interchange geometry. In this case, the interchange would not be able to accommodate anticipated demand within design constraints such as the close proximity of a local street intersection at Siempre Viva Road and Airway Road. The Preferred Alternative was developed to capture most of the benefits of the Two Interchange Alternative with the Siempre Viva Full Interchange Variation and the SR-125 Connector Variation, while avoiding these operational challenges to the extent possible. It would provide the maximum feasible access while maintaining necessary safety and security.

The Preferred Alternative fulfills the project's purpose and need, would have the least potential for impacts to listed/sensitive biological resources (i.e., it is the biologically preferred alternative), would have the least potential for land use impacts, and is supported by several resource agencies and other commenters. The Preferred Alternative would have a smaller footprint for the POE along the most sensitive eastern boundary, so it would result in less damage to the biological and physical environments. It also would not adversely affect traffic levels of service on local roadways and intersections. The identification of the Preferred Alternative reflects the consideration of all substantial, reasonably foreseeable, adverse impacts that remain after incorporation of all reasonable mitigation measures.

The benefits provided by the Preferred Alternative, as discussed above, outweigh the potential unavoidable adverse environmental effects. Despite the identification of potentially significant environmental effects in the Tier II Final EIR/EIS, the proposed Preferred Alternative would be of great economic benefit locally, regionally, nationally, and internationally.

## FINDINGS

### CALIFORNIA DEPARTMENT OF TRANSPORTATION FINDINGS FOR STATE ROUTE 11 AND THE OTAY MESA EAST PORT OF ENTRY – TIER II IN SAN DIEGO COUNTY, CALIFORNIA

The following information is presented to comply with California Environmental Quality Act (CEQA) Guidelines (Title 14 California Code of Regulations, Chapter 3, Section 15901) and the Department of Transportation (Caltrans) and California Transportation Commission Environmental Regulations (Title 21, California Code of Regulations, Chapter 11, Section 1501). Reference is made to the Tier II Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS) for the project, which is the basic source for the information.

The following potentially significant effects under CEQA have been identified in the Tier II Final EIR/EIS as resulting from the project. Effects found not to be significant have not been included in these Findings.

#### **Paleontological Resources**

##### Adverse Environmental Effect:

Implementation of Tier II would have the potential to affect previously undisturbed areas of the high sensitivity Otay Formation. Impacts to this formation would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

##### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

##### Statement of Facts:

The following preliminary measures are identified in the project Paleontological Mitigation Plan (PMP) and would be implemented as part of the proposed project:

- Once specific design layouts for proposed project elements and alternatives are available, details of the areas where mitigation is specifically required would be called out in a final PMP.
- A qualified paleontologist would attend the project pre-construction meeting to consult with the grading and excavation contractors concerning excavation schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as an individual with an M.S. or Ph.D. in paleontology or geology who is familiar with paleontological procedures and techniques, who is

knowledgeable in the geology and paleontology of San Diego County, California, and who has worked as a paleontological mitigation project supervisor in the region for at least one year.

- A paleontological monitor would be on site on a full-time basis during the original cutting of previously undisturbed deposits of high sensitivity paleontological resources (i.e., the Otay Formation) to inspect exposures for contained fossils. A paleontological monitor is defined as an individual who has experience in the collection and salvage of fossil materials. The paleontological monitor would work under the direction of a qualified paleontologist. As grading progresses, the qualified paleontologist and paleontological monitor would have the authority to reduce the scope of the monitoring program to an appropriate level if it is determined that the potential for impacts to paleontological resources is lower than anticipated.
- When fossils are discovered, the paleontologist (or paleontological monitor) would recover them appropriately. In most cases, fossil salvage can be completed in a relatively short period of time, although some fossil specimens (such as a complete large mammal skeleton) may require a more extended salvage period. In these instances, the paleontologist (or paleontological monitor) would be allowed to temporarily direct, divert, or halt grading to allow recovery of fossil remains in a timely manner. Because of the potential for the recovering of small fossil remains, such as isolated mammal teeth, it may also be necessary to set up a screenwashing operation on the site.
- During the monitoring and recovery phases of the PMP, the qualified paleontologist and/or paleontological monitor would also routinely collect stratigraphic data such as lithology, the vertical and lateral extent of strata, the nature of upper and lower contacts, and the taphonomic character of exposed strata (i.e., the study of decaying organisms over time and how they become fossilized). Collection of such data is critical for providing a stratigraphic context for any recovered fossils.
- Fossil remains collected during monitoring and salvage would be cleaned (removed of extraneous enclosing sedimentary rock material), repaired (consolidation of fragile fossils and gluing together broken pieces), sorted (separating fossils of the different species), and catalogued (scientific identification of species, assignment of inventory tracking numbers, and recordation of these numbers in a computerized collection database) as part of the mitigation process.
- Prepared fossils, along with copies of all pertinent field notes, photos, and maps, would be deposited in a scientific institution with paleontological collections. Curation of the fossils would be accompanied by financial support for preparation, curation and initial specimen storage, if this work has not already been completed.
- A final summary report would be completed that outlines the results of the mitigation program. This report would include discussions of the methods used,

stratigraphic section(s) exposed and documented, fossils collected, and significance of recovered fossils.

## **Natural Communities**

### Adverse Environmental Effect:

Implementation of Tier II would have the potential to cause impacts to native grassland, non-native grassland and grassland restoration areas within the project footprint. Such impacts would be considered significant under CEQA because grasslands offer foraging habitat for sensitive birds of prey such as the burrowing owl, northern harrier and white-tailed kite. The proposed project's effect on local wildlife movement is expected to be minimal; most local wildlife movement is expected to remain east of the Biological Study Area (BSA), and there is virtually no habitat connectivity from the BSA south to the U.S. - Mexico border and beyond. During the Phase I program-level process and the Tier II project design process, every effort was made to minimize impacts to sensitive biological resources. The irregular shape of the proposed Port of Entry (POE) is a result of these efforts, as it was designed to avoid/minimize impacts to Diegan coastal sage scrub and Waters of the U.S. to the northeast, non-native grassland and the associated sensitive species to the east, and a vernal pool to the west. No additional avoidance or minimization efforts were determined feasible for the remaining communities of concern within the Preferred Alternative boundaries. Potential impacts are anticipated to be mitigated to below a level of significance.

### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

### Statement of Facts:

Proposed biological mitigation measures for the Preferred Alternative have been approved by the U.S. Fish and Wildlife Service (USFWS) through a Biological Opinion issued November 23, 2011 (see Appendix R of the Tier II Final EIR/EIS), and are equal to or greater than the requirements of the Multiple Species Conservation Program (MSCP).

Mitigation for impacts to natural communities of concern is proposed to occur off site on three Lonestar parcels acquired by Caltrans on Otay Mesa. These parcels total approximately 184 acres and are located north/northeast of Brown Field, east and west of State Route (SR-)125, and south of the Otay River Valley.

The Lonestar parcels support approximately 169.78 acres of non-native grassland, approximately 12.43 acres of Diegan coastal sage scrub, approximately 0.5 acre of eucalyptus woodland, an approximately 0.25-acre stock pond, approximately 0.85 acre of vernal pool, and approximately 0.1 acre of unvegetated basins. The majority of the parcels are within the City Multi-Habitat Planning Area (MHPA); some of the mitigation area is also designated as MSCP Biological Resource Core Area (BRCA).

Prior to commencement of the off-site mitigation, parcels would be placed in a conservation easement. A perpetual long-term management, maintenance, and monitoring plan would be prepared, addressing the method of protecting the resources in perpetuity; the monitoring schedule; measures to prevent human and exotic species encroachment; the funding mechanism; and contingency measures. A non-wasting endowment also would be provided to secure ongoing funding for the perpetual management, maintenance, and monitoring. Detailed requirements are contained in the project Environmental Commitments Record (ECR).

Interim management of the mitigation parcels would be the responsibility of Caltrans. Long-term management of the Lonestar parcels is expected to be conducted by the County of San Diego Department of Parks and Recreation. In the event that the County Department of Parks and Recreation is unable to provide long-term management for the parcels, Caltrans would manage the parcels until they are transferred to an appropriate agency to manage and preserve the wildlife habitat in perpetuity. This would be done through a deed with restrictive covenants to protect and maintain the present and future uses of the parcels. These restrictive covenants would include a list of prohibitive uses that are inconsistent with the conservation purposes of the parcels. The parcels would be used for proposed project mitigation and mitigation for other projects, as applicable; to preserve habitat; and to create, restore, and enhance vernal pool habitat. Caltrans anticipates that it would not be possible to place the conservation easements or other conservation mechanisms, or transfer management endowments for its Lonestar Ridge conservation parcels prior to initiating project impacts. Annual reports on the status of the mitigation parcels would be provided, however, until the conservation mechanisms have been placed, a long-term management plan has been prepared, and the endowment funds have been transferred.

Prior to initiation of mitigation activities, a draft mitigation and monitoring plan would be prepared outlining a planting scheme, site preparation, an exotics control program, irrigation, grading requirements, and success criteria. A two-year plant establishment period and a three-year habitat management and monitoring program would be implemented in consultation with the resources agencies.

Should the Lonestar parcels prove to be infeasible for any reason, alternate land would be acquired by Caltrans as close as possible to the proposed project, with the concurrence of the resource agencies.

#### *Native Grassland*

Proposed mitigation for the permanent impact to 0.2 acre of native grassland (under any alternative) would occur through the restoration of native grassland at a 2:1 ratio where non-native grassland presently occurs (Table 1). Restoration of native grassland would occur through the dethatching of non-native grassland and subsequent planting of native grasses on the western Lonestar parcel. A mitigation plan for restoration of this community would be prepared that identifies the location for restoration, responsible parties, methods of implementation, maintenance and monitoring requirements, final success criteria, and contingency measures.

Natural Community	Total Impacted Acreage by Alternative (Acres)				Mitigation Ratio <sup>2</sup>	Proposed Mitigation by Alternative (Acres)			
	Preferred	Two Interchange <sup>1</sup>	One Interchange	No Interchange		Preferred	Two Interchange	One Interchange	No Interchange
Native Grassland (dominated by coastal saltgrass)	0.2	0.2	0.2	0.2	2:1	0.4 restoration of NNG with native grassland			
Non-native Grassland	171.9	179.8	184.4	173.7	1:1	171.9 enhancement and preservation <sup>3</sup>	179.8 enhancement and preservation <sup>3</sup>	184.4 enhancement and preservation <sup>3</sup>	173.7 enhancement and preservation <sup>3</sup>
Grassland Restoration	3.2	3.2	3.2	3.2	1:1	3.2 enhancement of non-native grassland with native grassland <sup>3</sup>	3.2 enhancement of non-native grassland with native grassland <sup>3</sup>	3.2 enhancement of non-native grassland with native grassland <sup>3</sup>	3.2 enhancement of non-native grassland with native grassland <sup>3</sup>

Note: Impacts do not include those within the SR-905 approved FEIS/FEIR limits of disturbance

<sup>1</sup> An additional 19.6 acres of non-native grassland (NNG) would be impacted by the Siempre Viva Road Full Interchange Variation of the Two Interchange Alternative, and corresponding mitigation would be proposed. The total NNG impact acreage of the Two Interchange Alternative with the Siempre Viva Road Full Interchange Variation would be 191.5 acres.

<sup>2</sup> Per County MSCP Tiers/Ratios: impacts are not located in an MSCP BRCA or the City MHPA, but the proposed mitigation would be in such areas.

<sup>3</sup> To also mitigate for habitat loss for the burrowing owl and other grassland-dependent special status species.

### *Non-Native Grassland*

Proposed mitigation for permanent impacts of up to 199.4 acres of non-native grassland (i.e., if the Two Interchange Alternative with the Siempre Viva Road Full Interchange Variation is selected; the impact acreage for the Preferred Alternative would be 171.9 acres) is through enhancement and/or preservation of non-native grassland at a 1:1 ratio (Table 1). Since the grassland in the right-of-way (R/W) is considered occupied by the burrowing owl, the mitigation land should also be burrowing owl habitat. Enhancement and preservation of non-native grassland on the Lonestar parcels is proposed to satisfy this mitigation. It is acknowledged that the Lonestar parcels support approximately 169.78 acres of non-native grassland, and that additional grassland may be required. Caltrans will consult with the resource agencies to devise an acceptable strategy to compensate for any shortage in the required mitigation.

### *Grassland Restoration*

Proposed mitigation for permanent impacts to 3.2 acres of grassland restoration (under any alternative) would occur through enhancement of non-native grassland with native grassland at a 1:1 ratio (Table 1). Therefore, 3.2 acres of mitigation is proposed. Since the grassland restoration in the R/W is considered occupied by the burrowing owl, the mitigation land should also be burrowing owl habitat. Enhancement of non-native grassland with native grassland on the Lonestar parcels (or equivalent mitigation parcel) would satisfy this mitigation.

### Adverse Environmental Effect:

The proposed western edge of the POE was shifted to the east to avoid direct and indirect impacts to the vernal pool and its watershed that are located within the BSA; therefore, no impacts would occur to this habitat. Indirect impacts could occur during project construction, however, to the privately owned preserve land south of SR-905 at La Media Road, and to other sensitive natural communities that abut the existing and proposed R/W associated with the proposed project. Specifically, potential indirect impacts to these natural communities may occur during project construction due to encroachment by construction personnel and their pets; placement of construction equipment, materials or debris; and siltation/runoff of contaminants from the construction site.

### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

### Statement of Facts:

To address potential indirect impacts during construction, the project grading/construction limits shall be clearly delineated with chain link fencing and/or silt fencing or fiber rolls to ensure that construction activity remains within the defined limits of work. Pets shall be prohibited at the construction site. A qualified biologist shall attend a pre-construction meeting and inspect the delineated areas prior to the initiation

of vegetation clearing/grading, during clearing and grubbing of habitat that occurs within 200 feet of the grading limits, and during regularly scheduled construction monitoring visits. The monitoring biologist would periodically monitor adjacent habitats for excessive amounts of dust and recommend remedial measures to address dust control if necessary. The construction-related water quality measures listed in Section 3.12.4 of the Tier II Final EIR/EIS would also serve to mitigate potential impacts related to discharge of silt and construction-related contaminants into adjacent natural communities. Detailed avoidance and minimization requirements are contained in the ECR.

## **Wetlands and Other Waters**

### Adverse Environmental Effect:

Implementation of Tier II would have the potential to cause impacts to disturbed mule fat scrub and U.S. Army Corps of Engineers (USACE) non-wetland Waters of the U.S. (WUS)/California Department of Fish and Game (CDFG) streambed within the project footprint.

For all Tier II build alternatives, the modified boundaries of the POE were selected specifically to avoid impacts to vernal pools and basins with fairy shrimp, as well as other natural communities of concern, and to minimize impacts to wetlands and non-wetland WUS/CDFG streambed. No additional avoidance or minimization efforts were determined feasible for the remaining USACE and/or CDFG jurisdictional areas because of the locations of these features that are entirely within, or traverse through, the proposed project footprint. Remaining impacts to disturbed mule fat scrub and USACE non-wetland WUS/CDFG streambed would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

### Statement of Facts:

Impacts to USACE and CDFG jurisdictional areas would require permitting and mitigation. The proposed mitigation ratio for mule fat scrub-disturbed is 2:1 and the proposed mitigation ratio for impacts to USACE non-wetland WUS/CDFG streambed is 1:1. Therefore, the proposed compensatory mitigation for the Preferred Alternative is 1.10 acres, the proposed compensatory mitigation for the Two Interchange Alternative is 1.11 acres, the proposed compensatory mitigation for the One Interchange Alternative is 1.12 acres, and the proposed compensatory mitigation for the No Interchange Alternative is 1.10 acres.

Proposed compensatory mitigation is via the restoration and preservation of USACE non-wetland WUS/CDFG streambed at Johnson Canyon, a drainage that extends onto one of the Lonestar parcels and supports jurisdictional features. A jurisdictional delineation would be necessary to determine the extent of USACE/CDFG jurisdiction on

the Lonestar parcel. Proposed compensatory mitigation would consist of removal of non-native vegetation (primarily tamarisk) and implementation of native vegetation planting and seeding for up to approximately 4,999 linear feet of Johnson Canyon.

Adverse Environmental Effect:

Indirect impacts could occur during project construction to the privately owned preserve land south of SR-905 at La Media Road (which is known to contain wetlands). Caltrans has also installed 3.28 acres of southern willow scrub/freshwater marsh mitigation with a 2.96-acre coastal sage scrub buffer at the eastbound off-ramp from SR-905 to La Media Road. In addition, jurisdictional waters abut other areas of the proposed SR-11, POE, and the Commercial Vehicle Enforcement Facility (CVEF) R/W. There is the potential for indirect impacts to these wetlands during project construction due to encroachment by construction personnel; placement of construction materials, equipment or debris; and siltation/runoff of contaminants from the construction site.

Such impacts would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

Statement of Facts:

To address potential indirect impacts during construction, the project grading/construction limits shall be clearly delineated with chain link fencing and/or silt fencing or fiber rolls to ensure that construction activity remains within the defined limits of work. Pets shall be prohibited at the construction site. A qualified biologist shall attend a pre-construction meeting and inspect the delineated areas prior to the initiation of vegetation clearing/grading, during clearing and grubbing of habitat that occurs within 200 feet of the grading limits, and during regularly scheduled construction monitoring visits. The construction-related water quality measures listed in Section 3.12.4 of the Tier II Final EIR/EIS would also serve to mitigate potential impacts related to discharge of silt and construction-related contaminants into adjacent natural communities. Detailed avoidance and minimization requirements are contained in the project ECR.

**Plant Species**

Adverse Environmental Effect:

Implementation of Tier II would have the potential to cause impacts to the following special-status plant species: small-flowered morning glory, variegated dudleya, San Diego barrel cactus, decumbent goldenbush, and San Diego marsh-elder.

- No avoidance or minimization efforts were determined feasible for small-flowered morning glory because it is found throughout non-native grassland that occupies the majority of the eastern portion of the necessary R/W.

- Caltrans' program-level selection and approval of the Western Alternative for the SR-11/POE project in Phase I eliminated many impacts to variegated dudleya that could have otherwise occurred. Consideration of agency and public input received during the Tier II Draft EIR/EIS public review process has resulted in additional adjustments to the shape and internal layout of the POE and CVEF, which are now reflected in the Preferred Alternative. By moving the eastern boundary of the POE/CVEF footprint towards the west, impacts to the 756 individuals of variegated dudleya in the BSA have been avoided under the Preferred Alternative; the Preferred Alternative therefore would not impact variegated dudleya. For the Draft EIR/EIS build alternatives, no further avoidance or minimization efforts were determined feasible for variegated dudleya because of its location within the necessary R/W.
- Caltrans' program-level selection and approval of the Western Alternative for the SR-11/POE project in Phase I eliminated many impacts to San Diego barrel cactus that could have otherwise occurred. By moving the eastern boundary of the POE/CVEF footprint towards the west, the Preferred Alternative would further reduce impacts to 15 individuals of San Diego barrel cactus in the BSA, resulting in an impact to a single individual. For the Draft EIR/EIS build alternatives, no further avoidance or minimization efforts were determined feasible for San Diego barrel cactus because of its location within the necessary R/W.
- The Preferred Alternative would impact the fewest individuals of decumbent goldenbush (i.e., compared to the Draft EIR/EIS build alternatives). For the Preferred Alternative and the Draft EIR/EIS build alternatives, no further avoidance or minimization efforts were determined feasible for decumbent goldenbush because of its location within the necessary R/W.
- For the Preferred Alternative and the Draft EIR/EIS build alternatives, no avoidance or minimization efforts were determined feasible for San Diego marsh-elder because of its location within the necessary R/W and easement for the project.

During construction of the proposed project, construction BMPs, installation of construction fencing, and monitoring construction limits would be conducted to avoid and/or minimize direct impacts to special status plant species outside the proposed project R/W.

Project impacts would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

## Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

## Statement of Facts:

### *General*

Salvage and transplantation of sensitive plant species, including small-flowered morning glory, variegated dudleya and San Diego barrel cactus, and planting of seed or container stock of decumbent goldenbush at the Lonestar Ridge West parcel would be conducted to the maximum extent practicable. A qualified biologist or restoration ecologist would oversee any seed collection, plant removal, or transplantation to ensure proper management of the salvaged materials.

### *Small-flowered Morning Glory*

Project impacts to small-flowered Morning Glory would be mitigated by planting of seed or container stock at the Lonestar Ridge West parcel, representing at least 80 percent of the impacted small-flowered morning glory plants. The species would also be preserved concurrently with preservation of non-native grassland on the Lonestar Ridge West parcel; the species is known to be present there as it was observed during a survey for the Quino checkerspot butterfly in 2009.

### *Variegated Dudleya*

No mitigation would be required for the Preferred Alternative, because no impacts to variegated dudleya would occur with implementation of this alternative. Proposed mitigation for impacts to variegated dudleya for the Draft EIR/EIS build alternatives is through salvage and translocation of at least 80 percent of the populations to be impacted (and their underlying soil if necessary). It is proposed that the populations be translocated to the Lonestar parcels (or equivalent mitigation parcel). A mitigation plan would be prepared that identifies the locations for translocation, responsible parties, methods of implementation, maintenance and monitoring requirements, final success criteria, and contingency measures. The reason for this mitigation proposal is that variegated dudleya is a County MSCP List A species for which 80 percent preservation is typically required. While Caltrans is not subject to the MSCP, Caltrans strives to be consistent with it.

### *San Diego Barrel Cactus*

Proposed mitigation for impacts to San Diego barrel cactus is through salvage and translocation of at least 80 percent of the individuals to be impacted (and their underlying soil if necessary). It is proposed that the individuals be translocated to the Lonestar parcel (or equivalent mitigation parcel). A mitigation plan would be prepared that identifies the locations for translocation, responsible parties, methods of implementation, maintenance and monitoring requirements, final success criteria, and contingency measures. The reason for this mitigation proposal is that San Diego barrel

cactus is a County MSCP List B species for which 80 percent preservation is typically required. While Caltrans is not subject to the MSCP, Caltrans strives to be consistent with it.

#### *Decumbent Goldenbush*

Proposed mitigation for impacts to decumbent goldenbush is through the planting of seed or container stock of this species, representing at least 80 percent of the impacted decumbent goldenbush plants, on the Lonestar parcels (or equivalent mitigation parcels). A mitigation plan would be prepared that identifies the locations for mitigation, responsible parties, methods of implementation, maintenance and monitoring requirements, final success criteria, and contingency measures. The reason for this mitigation proposal is that decumbent goldenbush is a County MSCP List A species for which 80 percent preservation is typically required. While Caltrans is not subject to the MSCP, Caltrans strives to be consistent with it.

#### *San Diego Marsh-Elder*

Project impacts to San Diego marsh elder would be mitigated by planting of seed, from a seed source in Otay Mesa obtained from an approved nursery, at the Johnson Canyon mitigation site.

### **Animal Species**

#### Adverse Environmental Effect:

Implementation of any of the Tier II build alternatives would have the potential to cause impacts to the burrowing owl, western spadefoot toad, coastal western whiptail, red-diamond rattlesnake, northern harrier, white-tailed kite, sharp-shinned hawk, turkey vulture, loggerhead shrike, California horned lark, grasshopper sparrow, and San Diego black-tailed jackrabbit, because of the extent of their habitat that would be lost. In addition, although the project would not impact nesting habitat for the golden eagle, it would impact up to 199.4 acres of non-native grassland habitat, which potentially provides foraging habitat for the golden eagle (i.e., if the Two Interchange Alternative with the Siempre Viva Road Full Interchange Variation were selected; the Preferred Alternative would impact up to 171.9 acres of non-native grassland).

In an effort to avoid or minimize impact to all non-listed but special status species (including the burrowing owl and golden eagle), all brushing, grading, and clearing of vegetation would take place between September 1 and January 31, which is outside of the bird breeding season, to avoid impacting nesting birds and violating the Migratory Bird Treaty Act (MBTA). If construction activities are subsequently proposed to occur during the breeding season, a pre-construction survey would be conducted to ensure that no nesting birds are present within the proposed work area. Should a nest site be located, then appropriate measures may include (but are not limited to) monitoring during grading and construction to ensure no impacts to the nest site, designating the location as an environmentally sensitive area, and delaying or restricting project activities until nesting and fledging is complete.

For burrowing owls, a pre-construction survey to identify active burrows within the R/W and 250 feet beyond the R/W (where potential burrows could occur) would be conducted no more than 30 days prior to initiation of construction. To minimize impacts to nesting burrowing owls, no disturbance would occur within 250 feet of any active burrow (including to any that occur outside the R/W) during the burrowing owl breeding season (February 1 through August 31), or until a qualified biologist determines that a burrow is no longer active. For each active burrow to be directly impacted outside the burrowing owl breeding season, a qualified biologist would implement passive relocation measures (installation of one-way doors) in accordance with CDFG regulations. Once all owls have vacated the burrows (after approximately 48 hours), a qualified biologist would oversee the excavation and filling of the burrows. No golden eagle nests are located in the BSA, so no such avoidance and minimization measures are required.

Despite efforts to minimize impacts to special status animal species, some impacts would remain. These impacts would be considered significant under CEQA because each species is considered sensitive by the resource agencies. Furthermore, burrowing owl impacts would be considered significant under CEQA because the program area is one of the only remaining parts of the County where a breeding burrowing owl population occurs. Potential impacts are anticipated to be mitigated to below a level of significance.

#### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

#### Statement of Facts:

##### *All Non-listed Special Status Animal Species*

Impacts to non-listed, special status animal species would be offset by the proposed compensatory mitigation for non-native grassland impacts. These species would also benefit from the proposed preservation of other habitats (e.g., Diegan coastal sage scrub) as well as the restoration and enhancement of vernal pool habitat on the Lonestar Ridge West parcel (or equivalent mitigation parcel).

##### *Burrowing Owl and Golden Eagle*

Impacts to burrowing owls and golden eagles are proposed to be mitigated through preservation of up to 203 acres of upland habitat (i.e., if the Two Interchange Alternative with the Siempre Viva Road Full Interchange Variation is selected; see Table 1; impacts of the Preferred Alternative would be mitigated through preservation of up to 175.5 acres of upland habitat). The preservation would occur on the Lonestar parcels (or equivalent mitigation parcels). It is acknowledged that the Lonestar parcels support approximately 169.78 acres of non-native grassland, and that additional grassland may be required. Caltrans will consult with the resource agencies to devise an acceptable strategy to compensate for any shortage in the required mitigation. The Lonestar parcels are within the potential foraging area for the golden eagle pair at O'Neal

Canyon, and the habitat value for foraging would be improved with the proposed restoration efforts.

To ensure suitable burrow opportunities are present for burrowing owls, artificial burrows would be created in the preserved grassland at the Lonestar Ridge West mitigation parcel at a 5:1 ratio for each burrow impacted (for a total of up to 45 artificial burrows, as well as natural mounds that could provide burrow habitat). Approximately 50 artificial burrows also would be constructed and installed at Lonestar Ridge West prior to the passive relocation. A total of 25 artificial burrows composed of wood boxes with wood tunnels and 25 artificial burrows composed of plastic boxes with corrugated plastic drainage pipe tunnels would be installed. The boxes and tunnels would be buried and covered with at least 12 inches of soil to provide long-term cover and sound insulation. Each artificial owl nest box would be installed with a one inch-diameter observation tube for future research purposes. Approximately 154 mima mounds installed at Lonestar Ridge West would consist of soil and vegetated matter. These natural mima mounds would provide potential habitat for California ground squirrels, which have been observed at Lonestar Ridge West during 2010 site surveys, to create burrows in the mounds that may be occupied by burrowing owls in the future. A mitigation plan that: (1) describes the off-site preservation of burrowing owl habitat; (2) identifies the methods for artificial burrow and natural mound creation; and (3) outlines burrow and habitat maintenance requirements, burrow monitoring requirements, and reporting requirements would be prepared and submitted to CDFG for approval prior to grading of the SR-11/POE project site.

With implementation of the avoidance measures described above, the proposed project would not violate the MBTA, so additional mitigation would not be required.

### **Threatened and Endangered Species**

#### Adverse Environmental Effect:

The project in general and the Preferred Alternative in particular, have been located and designed to avoid or minimize impacts to threatened and endangered species to the extent possible. Where impacts could not be avoided or minimized, mitigation is proposed to compensate for those impacts.

During construction of the proposed project, construction BMPs, installation of construction fencing, and monitoring construction limits would be conducted to avoid and/or minimize direct impacts to threatened and endangered species outside the proposed project impacts and R/W (refer to the project ECR for details).

BMPs employed during construction would follow the applicable Caltrans guidelines and be detailed in the project's SWMP, SWPPP, and WPCP. Specific plans would be reviewed by a biologist and modified, if necessary, prior to implementation. The biologist would have the ability to suggest changes to reduce the possibility of erosion/siltation or spills of chemicals and fuels that could potentially affect sensitive habitat areas, including (but not limited to) vernal pool basins and their watersheds.

In the case of San Diego and Riverside fairy shrimp, the proposed western edge of the POE was shifted to the east in designing the Preferred Alternative to avoid direct impacts to the vernal pool (and its watershed) that supports San Diego fairy shrimp.

Vernal pools, located outside the alignment footprint, would be designated ESAs and depicted as such on project maps. No personnel or equipment would be allowed within these areas at any time. Pools and watersheds may be marked and protected by temporary fencing (e.g., orange plastic snow fencing) or another appropriate method to prevent encroachment or unnecessary disturbance to the sites. Prior to and during construction, barriers would be established in key areas to deter public entry into the site. In addition, fencing would be provided to restrict access to sensitive habitat adjoining the work limits.

Caltrans would implement avoidance and minimization measures to protect San Diego and Riverside fairy shrimp at the Lonestar Ridge West mitigation site, including avoiding work during the wet season and avoiding driving and trenching through the pools during weeding of the site.

No avoidance or minimization efforts were determined feasible for impacts to critical habitat for the San Diego fairy shrimp because of its location within the necessary R/W. Impacts to San Diego fairy shrimp critical habitat would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

Caltrans' program-level selection and approval of the Western Alternative for the SR-11/POE project in Phase I eliminated most impacts to Quino checkerspot butterfly critical habitat, as well as impacts to its potential Diegan coastal sage scrub habitat that otherwise could have occurred. For the Preferred Alternative and the Draft EIR/EIS build alternatives, no further avoidance or minimization efforts were determined feasible for the Quino checkerspot butterfly because of its locations (based on observations prior to 2006). The Preferred Alternative would avoid the direct impacts to 4.2 acres of its critical habitat that would be impacted by the POE design that was addressed for the Draft EIR/EIS build alternatives.

Remaining impacts to Quino checkerspot butterfly and its critical habitat would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

#### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

## Statement of Facts:

### *San Diego Fairy Shrimp and Riverside Fairy Shrimp*

Proposed compensatory mitigation for direct impacts to 89.1 acres under the Preferred Alternative (101.7 acres under the Draft EIR/EIS Build Alternatives) of San Diego fairy shrimp critical habitat is through preservation of San Diego fairy shrimp critical habitat on the western Lonestar parcel (or equivalent mitigation parcel). The western Lonestar parcel contains approximately 155 acres of San Diego fairy shrimp critical habitat. The mitigation proposed would permanently preserve San Diego fairy shrimp critical habitat that otherwise could be developed, and this critical habitat contains substantially more San Diego fairy shrimp and associated habitat with higher functionality and more constituent elements than the critical habitat impacted. The final mitigation for critical habitat impacts associated with the Preferred Alternative has been approved through the Section 7 consultation with the USFWS. Caltrans submitted a Biological Assessment to FHWA for review in April 2011. After review, FHWA submitted the Biological Assessment to USFWS in June 2011. A Biological Opinion was issued by USFWS on November 23, 2011.

Approximately 3.6 acres of vernal pools (111 basins) would be created/restored at Lonestar Ridge West to provide additional San Diego fairy shrimp habitat and 14 existing vernal pool basins (totaling approximately 0.6 acre) would be enhanced. All enhancement activities in the pools occupied by listed vernal pool species that require soil manipulation (e.g., removal/recontouring of tire ruts or road fills, recontouring of pool slopes) would be done by hand and/or small machinery. Topsoil would only be salvaged from the portions of the pools subject to soil movement. Additional inoculum from off-site donor vernal pools in the Otay Mesa area may be used to supplement the inoculum collected at the project impact site, with approval of the USFWS and USACE. Inoculum and planting would not be installed until the USFWS and USACE approve the habitat restoration site through evidence of ponding. The basins would be surrounded by approximately 27.3 acres of watershed and upland that would be restored to support the vernal pool basins.

A final mitigation and monitoring plan was submitted to the resource agencies on February 3, 2012, outlining a planting scheme, site preparation, an exotics control program, irrigation, grading requirements, and success criteria. A two-year plant establishment period and a three-year habitat management and monitoring program would be implemented at Lonestar Ridge West. Success criteria include the establishment of 1.30 acres and 0.22 acre of basin area that would support San Diego fairy shrimp and Riverside fairy shrimp, respectively.

### *Quino Checkerspot Butterfly*

Because of the low quality of the Quino checkerspot butterfly habitat to be impacted, the small number of individual Quino checkerspot butterfly observed, and because no Quino checkerspot butterflies have been observed in recent years, the focus of the mitigation proposed is on preservation and restoration of Quino checkerspot butterfly habitat off site. Therefore, proposed mitigation for the loss of Quino checkerspot butterfly would be through preservation/enhancement of approximately 114 acres of historically occupied Quino checkerspot butterfly habitat on the Lonestar parcels and Johnson Canyon site,

or equivalent mitigation parcels. Appropriate larval host species and nectar species would be incorporated into the seed palette to be utilized on the parcels. Specifically, a minimum of 17 focused planting areas that are dominated by Quino checkerspot butterfly host and nectar resource plants would be established within 87 acres of critical habitat on the Lonestar Ridge West parcel. The mitigation plan, outlining the details of the entire upland revegetation effort (e.g., plant and soil salvaging, site preparation, success criteria, and monitoring requirements), would be prepared and submitted to the appropriate resource agencies for review.

The Preferred Alternative would avoid impacts to Quino checkerspot butterfly critical habitat and therefore would not require mitigation.

If any of the Draft EIR/EIS alternatives were selected, proposed mitigation for the direct impact of the Draft EIR/EIS build alternatives to 4.2 acres of Quino checkerspot butterfly critical habitat would be through preservation of Quino checkerspot butterfly critical habitat on the Lonestar and Johnson Canyon parcels, or equivalent mitigation parcels. Potential habitat for the Quino, as well as dwarf plantain and owl's clover (host plants), are present on the Lonestar parcels. If any of the Draft EIR/EIS build alternatives were selected, the final mitigation for critical habitat impacts would be negotiated during a subsequent Section 7 consultation with the USFWS (as the completed Section 7 consultation addressed the Preferred Alternative).

### **Invasive Species**

#### Adverse Environmental Effect:

In compliance with EO 13112 on invasive species and subsequent guidance from the FHWA, the landscaping and erosion control included for the proposed project would not use species on the state's noxious weed list or species listed as invasive in the California Invasive Plant Inventory Database.

Inspection of construction areas would be made by a biological monitor for invasive species according to a prescribed schedule during construction. A typical schedule would involve weekly inspections after the first rains, and throughout the rainy season of the construction period. Outside the rainy season, inspection for invasive species would occur monthly.

Soils that may contain invasive plant species seeds would not be stockpiled where wind or water could transport the material/seeds to natural communities of concern. Soils that may contain invasive plant species seeds also would not be transported in such a manner that the seeds could spread to natural communities of concern.

Nevertheless, any of the build alternatives could impact adjacent natural communities of concern if construction resulted in the spread of existing invasive plant species outside the R/W. Such impacts would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance. No significant impacts would be associated with invasive animal species.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

Statement of Facts:

Precautions would be required to prevent the spread of invasive species into new areas, including the cleaning of construction equipment to help prevent the spread of invasive plant species material, and eradication strategies recommended by the biological monitor.

Upon completion of grading, all areas of temporary disturbance would be revegetated with native species or appropriate ornamental landscaping to limit colonization by invasive species. A qualified biologist would review the landscape concept plans to ensure that no invasive species (as listed on the state's noxious weed list or in the California Invasive Plant Inventory Database) are included.

**Traffic and Transportation/Pedestrian and Bicycle Facilities**

Adverse Environmental Effect:

Implementation of any of the build alternatives would have an adverse effect in 2035 on a number of freeway segments, roadway segments, and intersections, compared to the No Build Alternative. Although measures have been identified to avoid, minimize or mitigate these project impacts, they are not within the control or responsibility of Caltrans.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

In 2035, certain freeway segments, roadway segments, and intersections were projected to have reduced performance at Level of Service (LOS) E or F with the project implemented compared to the No Build Alternative, or to have an increased V/C ratio with the project implemented when operational performance for the No Build Alternative would be at LOS F. No feasible measures that are within the control or responsibility of Caltrans have been identified to avoid, minimize or mitigate these project impacts. In order to avoid, minimize or mitigate the adverse traffic effects that are projected to occur within the Otay Mesa area by 2035, it would be necessary to amend current circulation element roadway classifications and Regional Transportation Implementation Plan (RTIP) plans for regional transportation facilities. Based on the traffic forecasts for the proposed project, the below-listed amendments to local and regional circulation plans may be needed by 2035 to ensure that freeway/roadway/intersection operations in the project area would be no worse than with the No Build Alternative. Conditions in the

project area should be monitored following project implementation to ensure that such modifications would be needed.

*Freeway Operation Improvement Measures - Preferred Alternative and Draft EIR/EIS Build Alternatives*

The future operational performance of SR-125 north of Lone Star Road could be improved by increasing the number of lanes along this segment of SR-125 (applicable to all build alternatives).

Traffic volumes along SR-125 and SR-905 could be reduced by increasing the tolls for SR-11 and SR-125 during peak hours (applicable to all build alternatives).

The future operational performance of SR-905 could be improved by increasing the planned number of lanes for the affected segments of SR-905 from 6 lanes to 8 or 10 lanes (applicable to all build alternatives).

The future operational performance of Interstate 5( I-5) north of SR-905 could be improved by increasing the number of lanes along this segment of I-5 (applicable to the Two Interchange and One Interchange alternatives, but not needed for the Preferred Alternative or No Interchange Alternative).

Future traffic volumes in the Otay Mesa region may be reduced through implementation of well-developed transit, bikeway and pedestrian systems, as well as implementation of Transportation System Management/Transportation Demand Management (TSM/TDM) measures throughout the region to encourage the use of alternate modes of transit, promote carpools and vanpools, and reduce vehicle travel on freeways during peak hours.

*Roadway Segments/Intersection Operation Improvement Measures*

Preferred Alternative: Implementation of the Preferred Alternative would not adversely affect roadway segments or intersections. Therefore, no operation improvement measures would be needed for this alternative.

Two Interchange Alternative: Implementation of the Two Interchange Alternative would not adversely affect roadway segments or intersections. Therefore, no operation improvement measures would be needed for this alternative.

One Interchange Alternative: Implementation of the One Interchange Alternative would adversely affect the roadway segment of Alta Road from Otay Mesa Road to Airway Road in 2035. Avoidance of this impact would require that Alta Road be implemented as a six-lane facility, instead of a four-lane facility as currently reflected in the local circulation element. The One Interchange Alternative would not adversely affect any intersections. Therefore, intersection operation improvement measures would not be needed for this alternative.

No Interchange Alternative: Implementation of the No Interchange Alternative would adversely affect the roadway segments of Lone Star Road from SR-125 to Enrico Fermi Drive, and Siempre Viva Road from SR-905 to Paseo De Las Americas in 2035, as well as the following four intersections:

- SR-905 westbound off-ramp and La Media Road
- Siempre Viva Road and SR-905 northbound ramps
- Siempre Viva Road and Paseo De Las Americas
- Siempre Viva Road and Enrico Fermi Drive.

Improving the future operational performance of the Lone Star Road segments would require that this roadway be built out as a six-lane facility, instead of a four-lane facility as currently reflected in the local circulation element. To avoid the impacts to Siempre Viva Road and the three adversely affected intersections with this road, it would be necessary to widen this roadway and the intersections to eight lanes, providing additional through-lane capacity which would exceed the current circulation element designation for this roadway. To improve the future operational performance of the SR-905 westbound off-ramp and La Media Road intersection, it would be necessary to amend the circulation element to designate La Media Road as an eight-lane facility at this location instead of a six-lane facility, to increase the number of through lanes available for the dominant north-south movement.

#### *Conclusion*

The proposed project would implement SR-11 and the Otay Mesa East POE, which have been reflected in the East Otay Mesa Specific Plan (EOMSP) for many years and should be considered in future transportation planning efforts for the study area in coordination with local entities. The above analysis provides guidance as to the types of modifications that would be necessary to achieve acceptable LOS in the region in 2035, such that operations would be no worse than under the No Build Alternative. The analysis also demonstrates that feasible measures exist to provide this condition, although they are beyond the control or responsibility of Caltrans and are thus not proposed as part of the project.

#### Adverse Environmental Effect:

During heavy periods of hauling imported fill material to the project site, it is estimated that up to 300 truck trips per day would be generated. Additional traffic generated by project construction would include construction employees traveling to and from the site each day, hauling of demolition debris off site in the early stages of clearing/grading for the project, and periodic delivery of construction materials to the site. Project construction-related trips could result in increased congestion of local streets and freeways in the project area. According to the project Traffic Management Plan (TMP), temporary full or partial closures of SR-905, Sanyo Avenue, Enrico Fermi Drive, and Alta Road are anticipated to be necessary. Likely detour routes at various times during construction would include Otay Mesa Road, Airway Road, La Media Road and Sanyo Avenue. These road closures and detours could cause motorist delays on existing

roads during construction. Such impacts would be considered significant under CEQA. Potential impacts are anticipated to be mitigated to below a level of significance.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

Statement of Facts:

A TMP was prepared for the project to minimize motorist delays on existing roads during construction. The following list includes measures from the TMP and other appropriate measures that will be considered for addition to the TMP:

- A Public Awareness Campaign to educate the public about potential construction plans and scheduling
- Motorist Information Strategies, such as signs in English and Spanish, and information on the CHIN, a 24-hour information hotline and website, to divert traffic volume from the construction site
- Incident Management, including a Construction Zone Enhanced Enforcement Program (COZEEP) that would station California Highway Patrol (CHP) Officers and Traffic Management Team units at construction sites to facilitate safer construction and traffic conditions and quicker responses to incidents
- Construction Strategies of selectively closing freeway main lanes, ramps, and connectors without creating substantial delays to motorists, and providing temporary lane shifts to facilitate construction of freeway-to-freeway connectors
- Contingency Plans for instances in which the timely opening of lanes is deemed unachievable
- Alternate Route Strategies that would temporarily divert traffic to allow construction activities, while maintaining sufficient traffic flow along SR-905 (if open) and reasonable access to businesses
- During heavy periods of hauling of dirt, construction materials, and debris, utilize designated truck routes with flagmen and/or temporary signalization/signage as appropriate, and coordinate with the responsible local jurisdiction(s) regarding construction-related trucking arrangements
- Consider scheduling heavy trucking periods during non-peak traffic hours, if necessary, to avoid further impacting freeway/roadway segments and intersections that tend to operate at undesirable levels of service during peak hours
- All parking associated with project construction would be contained within the project limits of disturbance or another secured location that would not conflict with existing public parking.

The project construction contractor would be required to maintain at least one access to all existing businesses during project construction, and to keep adjacent businesses informed of periods of interruption of any usual access route/driveway. The TMP for the project proposes that the main detour throughout the two-year construction duration

would utilize Sanyo Avenue. Several minor detours would exist for several nights when falsework is constructed above Sanyo Avenue, SR-905, and the SR-905 off-ramp to La Media Road. Reasonable access to businesses along the main and minor detours should be maintained throughout the duration of construction. It is expected that the main detour would be operational throughout the duration of construction and no modifications would be necessary to any streets.

## **Visual/Aesthetics**

### Adverse Environmental Effect:

With implementation of the project, currently developed areas with local roadways and undeveloped open space would have a new highway with associated interchanges, walls and grading, and a CVEF and POE with buildings, roadways, and associated facilities. Project implementation would result in noticeable changes between existing and post-project views. In some locations, the proposed project would introduce highly contrasting elements into a view that currently is undeveloped land and open space; the level of change to the visual resources of the area would be moderately high. The viewers of the area, though few in number, would have a moderate level of response. The resulting visual impact in some locations would be moderately high. At other locations, the project's visual impact would be moderate, moderately low, or low.

Just east of Sanyo Avenue, the project would construct up to approximately 26-foot high retaining walls in close proximity to existing buildings, resulting in an adverse project-level impact on the visual environment.

Many of these impacts would be considered significant under CEQA. Potential project-level visual impacts are anticipated to be mitigated to below a level of significance.

### Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

### Statement of Facts:

Project landscaping would generally follow standard Caltrans design guidance, with additional measures as needed to address the specific circumstances of the proposed project. Implementation of the following measures would reduce visual impacts identified as low, moderate, moderately high, or high for the Preferred Alternative or any of the other build alternatives.

### *Highway Planting*

V-HP-1: SR-11 Landscape Concept Plan. A landscape concept plan would be developed in consultation with the District 11 Landscape Architect, local community planning groups, City staff, County staff, and the Caltrans Project Development Team. The SR-11 Landscape Concept Plan would incorporate the measures listed below to

reduce visual impacts. The Landscape Concept Plan would identify highway planting and non-living (mulches, rock blankets and other materials) landscape features that define the visual environment and articulate the landscape theme for SR-11. This measure would reduce impacts addressed in the discussions of Key Views 1 through 5, as well as impacts seen from Enrico Fermi Drive, visual effects resulting from the POE, and the retaining wall between the POE and the Siempre Viva Road Interchange. It also would contribute to reducing the visual impact of the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-HP-2: To reduce impacts discussed in the discussions of Key Views 1 through 5, as well as impacts seen from Enrico Fermi Drive, visual effects resulting from the POE, from the Siempre Viva Road Full Interchange Variation and the Preferred Alternative; the project would include drought tolerant and low maintenance landscaping that is compatible with the appearance of the adjacent vegetative community, as well as sustainable horticultural practices. Such landscaping will be compatible with Caltrans standard practices, which specify planting or seeding graded slopes with native species where feasible. All planted areas would receive irrigation. This measure would reduce impacts addressed in Key Views 1 through 5, as well as impacts seen from Enrico Fermi Drive, and visual effects resulting from the POE, as well as from the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-HP-3: To reduce visual impacts in areas of the project characterized by ornamental landscaping (including those visible in Key Views 1 through 5, as well as impacts seen from Enrico Fermi Drive, visual effects resulting from the POE, and impacts resulting from the Siempre Viva Road Full Interchange Variation), roadway landscaping that includes trees, shrubs, and groundcover would be installed.

V-HP-4: To reduce impacts in less developed areas within the limits of disturbance (eastern portion), such as those addressed in the discussion of Key View 4 and visual effects resulting from the POE, landscaping with trees and shrubs would be planted and mulch would be spread in planting areas. Areas of native species would include temporary irrigation systems (for at least five growing seasons) to aid in plant establishment and supplement deficient natural precipitation. This measure would reduce impacts addressed in Key View 4 and visual effects resulting from the POE.

#### *Retaining Walls*

V-RW-1: Architectural Surface Treatment. Architectural features, textures and colors would be used to mitigate the appearance of retaining wall surfaces and deter graffiti. Walls would incorporate architectural features such as pilasters and caps to provide shadow lines, provide relief from monolithic appearance, and reduce their apparent scale. The architectural surface treatment would follow a highway-wide theme as identified in the SR-11 Landscape Concept Plan (developed in consultation with Caltrans District 11 Landscape Architecture), and would utilize/adapt architectural features of the adjacent SR-905 project for continuity. This measure would reduce visual effects resulting from architectural features, such as the retaining wall between the POE and the Siempre Viva Road Interchange and the retaining walls in the Sanyo Avenue area under the proposed alternatives (particularly the 46-foot Median Variation).

V-RW-2: Retaining Wall/Barrier Planting Pocket. In areas where retaining walls must be placed in close proximity to and above the traveled way, space would be reserved between the wall and the safety barrier to include a planting pocket up to six feet wide to reduce the impact of the visible height of the wall, with the concurrence of Caltrans District 11 Landscape Architecture and where feasible. Refer to Figure 3.9-16 of the Tier II Final EIR/EIS, for an example cross-section of a planting pocket between a barrier and retaining wall.

V-RW-3: Terraced Retaining Walls. Where site conditions permit, retaining walls over 15 feet in height would be divided into two separate structures sufficiently offset from one another to create a flat landscape planting area between the two. Refer to Figure 3.9-16 of the Tier II Final EIR/EIS for an example cross-section of terraced retaining walls. This measure would reduce visual impacts addressed in the discussion of Key View 3, and those resulting from structures included in the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-RW-4: Mid-Slope Retaining Walls. Retaining walls would be located at mid-slope wherever possible to provide adequate area for landscape screening between the wall and the highway. See the cross-section in Figure 3.9-17 of the Tier II Final EIR/EIS, for an example of a retaining wall placed mid-slope. This measure would reduce visual impacts addressed in the discussion of Key View 3, and those resulting from structures included in the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-RW-5: Plantable Retaining Walls. Retaining walls that follow the contours of the topography and maintain a constant elevation at the top of wall would be used where appropriate. This type of wall would be visually compatible with surrounding terrain and provide room at the base for a landscape screening buffer. Figure 3.9-17 of the Tier II Final EIR/EIS depicts an example plan and elevation of a terrain-contoured retaining wall. This measure would reduce visual impacts addressed in the discussion of Key View 3, and those resulting from structures included in the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-RW-6: Plantable Retaining Walls. Where Caltrans standard design crib walls may be recommended, MSE walls that utilize a stacking tray design, such as Evergreen walls, may be used to provide a landscaped surface that would blend with the surrounding landscape and reduce the potential visual impact of crib walls.

#### *Overcrossing, Undercrossing and/or Bridge Structures*

V-S-1: Structure design would be enhanced with architectural features and be consistent with design themes developed and identified in the SR-11 Landscape Concept Plan. Pedestrian lighting, widened sidewalks (five and one half feet to eight feet width), bicycle lanes, and other urban amenities on local street portions of structures would be provided to be consistent with local community values and goals, with the concurrence of Caltrans District 11 Landscape Architecture. This measure would reduce visual impacts resulting from structures addressed in the discussion of Key Views 2, 3, and 5, and those visible from Enrico Fermi Drive, as well as the proposed retaining wall between the POE and Siempre Viva Road Interchange, and

included in the Siempre Viva Road Full Interchange Variation and the Preferred Alternative.

V-S-2: To reduce visual impacts of slope paving, such as discussed in relation to Key View 5, slope paving at undercrossings and overcrossings would be enhanced with texture to deter graffiti. Paving texture and color would be consistent with materials used on SR-905.

V-S-3: To reduce visual impacts of fences/barriers, such as protective fences/barriers along the sides of proposed SR-11 interchange ramps and elevated crossings, any solid screening fences used on structures would be carefully coordinated with bridge aesthetics and architectural elements, with the concurrence of Caltrans District 11 Landscape Architecture and where feasible.

#### *Median Barriers and Edge Barriers*

V-MB-1: To preserve desirable views and reduce the visual scale of the highway facility, such as is visible in Key View 6, concrete median barriers, if used, would be sized appropriately to address safety concerns related to truck usage of inside lanes. Barriers would be colored and textured according to an approved SR-11 Landscape Concept Plan.

#### *Manufactured Slopes/Grading*

V-G-1: Slopes would be graded 2:1 or flatter to support highway planting and/or non-living landscape materials such as rock mulches as appropriate. Grading would utilize techniques such as slope rounding, slope sculpting, and variable gradients to approximate the appearance of natural topography. Per Caltrans policy, embankment slopes steeper than 4:1 would require an approved design exception.

#### *Lighting and Signage*

V-LS-1: Lighting and mileage/directional signs would be designed and coordinated comprehensively and as a complete package, either as free-standing elements or in conjunction with over/undercrossing structures and architectural features to create a unified design theme and clear driver information.

V-LS-2: Existing highway lighting and signage design themes identified for SR-905 would be continued along SR-11.

V-LS-3: Pedestrian lighting on all overcrossings would be uniform and conform to the SR-11 design theme.

V-LS-4: Soffit lighting would be provided on all undercrossings with pedestrian facilities.

V-LS-5: Electrical and signal equipment at ramp termini would be placed in visually unobtrusive locations.

#### *Access Control Fences*

V-AC-1: Where possible, access control fencing would be placed in visually unobtrusive locations of interchanges and bridges (e.g., near the edge of the R/W), and would be coated with black vinyl where appropriate.

V-AC-2: Retaining walls near R/W boundaries would be placed in such a way that they become access control, and an additional access control fence would not be needed. The "dead" spaces that occur between walls and fences would be avoided if at all possible by combining walls with fences.

#### *Drainage and Water Quality Facilities*

V-WQ-1: Concrete interceptor ditches would not be placed at the toe of slopes adjacent to pedestrian use areas. Alternatives such as subterranean drainage placed below finish grade or a planted geo-reinforced drainage surface would also be used with the concurrence of Caltrans District 11 Landscape Architecture and where feasible.

V-WQ-2: Concrete drainage devices located in non-landscaped areas would be colored (integral color concrete or by staining) to match the surrounding soil color.

V-WQ-3: Soft surface alternatives to concrete ditches and rock slope protection would be used wherever possible.

V-WQ-4: Detention basins and bio-swales in landscaped areas would be planted with visually and functionally compatible native or ornamental ground cover as appropriate, and shaped to mimic natural ponds and/or vernal pools in the area, where feasible. Final design of detention basins would be determined in consultation with Caltrans District 11 Landscape Architecture.

#### *Power Poles*

V-PP-1: New power poles finishes would be treated to fit in with viewshed elements and to reduce glare and reflection from the base steel finish with the concurrence of Caltrans District 11 Landscape Architecture.

#### Adverse Environmental Effect:

The Preferred Alternative and other build alternatives would contribute to cumulative visual impacts within the EOMSP area. The visual study area is not characterized by distinct visual features, public visual resources or a designated state scenic highway, focal points or a consistent neighborhood theme. West of Enrico Fermi Drive, the project would generally be visually compatible with the character and quality of the surrounding developing industrial area; however, the visual character to the east of Enrico Fermi Drive is most memorable for its generally open and undeveloped condition. While the proposed project is included in existing planning documents and would be constructed to applicable design standards, it would introduce a new highway with associated ramps and interchanges; landform alteration and manufactured slopes up to 20 feet in height; retaining walls; border crossing, inspection, possible toll facilities; and lighting to an area that is currently in a largely natural state. Views would be altered from various vantage points throughout the project viewshed, including the recreational Otay Mesa Truck Trail.

Cumulatively, the proposed project, in combination with other anticipated development in eastern Otay Mesa, would considerably change the visual environment of the area from open space to urban uses and would contribute to cumulative visual impacts within the EOMSP area following project implementation. This change has been previously contemplated in the environmental documents for the EOMSP and the updates to that plan, but would nevertheless represent a substantial adverse cumulative visual impact for which no avoidance, minimization or mitigation measures are available. While the mitigation measures listed above would serve to avoid and minimize project-specific impacts, cumulative impacts under CEQA would remain significant, unavoidable, and unmitigable.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

Mitigation for cumulative visual impacts due to other projects is governed by those project proponents and the local jurisdictions with authority over the projects. Measures to avoid or reduce potential impacts include local land use plans, which provide for orderly, timely, and environmentally-sensitive land use development. No measures are proposed for this project to mitigate cumulative visual impacts arising from other projects. The direct and cumulative impacts of and necessary mitigation for the developments on Otay Mesa are discussed in the respective project environmental documents processed through the local jurisdictions.

**Growth**

Adverse Environmental Effect:

The Preferred Alternative will have a significant impact (due to secondary/indirect effects) on growth in Otay Mesa and East Otay Mesa. This is considered a significant impact because the environmental impacts from continued development/growth will result in loss of biological, cultural, and open space resources; loss of land suitable for agriculture; and increased noise and air pollution.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

Mitigation for cumulative growth impacts is governed by the local land use plans, which provide for orderly, timely, and environmentally-sensitive land use development. Additional infrastructure and public service needs resulting from future developments will

be the responsibility of developers as directed by local agencies and utility districts. No measures are proposed for this project to mitigate growth impacts. The impacts of and necessary mitigations for the developments on Otay Mesa are discussed in the respective project environmental documents processed through the local jurisdictions.

Adverse Environmental Effect:

The proposed project has the potential to “foster economic or population growth” in the greater California or U.S. region, as defined in the CEQA Guidelines, by removing an obstacle to that growth (i.e., the border crossing bottleneck). Identification and analysis of growth-induced environmental impacts of the project, however, would be speculative, because of the diffused geographical and temporal nature of this growth. The probable existence of future growth may be reasonably foreseeable, but its location and extent is not. Although measures likely exist to avoid, minimize or mitigate growth-induced environmental impacts of the project, they are not within the control or responsibility of Caltrans.

Findings:

Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

Statement of Facts:

CEQA guidance indicates that a Lead Agency is not required to analyze a particular impact that has been found to be too speculative for evaluation (CEQA Guidelines Section 15145). Nevertheless, it is worth noting that wherever the growth associated with the proposed project were to occur, it would be subject to the land use and environmental plans and regulations applicable to that location.

**Climate Change**

Adverse Environmental Effect:

While construction would result in a slight increase in greenhouse gas (GHG) emissions during construction, it is anticipated that any increase in GHG emissions due to construction would be offset by improvement in regional operational GHG emissions resulting from the project. It is Caltrans' determination that, in the absence of further regulatory or scientific information related to GHG emissions and CEQA significance, it is too speculative to make a determination regarding significance of the project's direct impact and its contribution on the cumulative scale to climate change. However, Caltrans is firmly committed to implementing measures to help reduce the potential effects of the project.

Findings:

Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR/EIS.

Statement of Facts:

Table 2, *Climate Change Strategies*, summarizes the departmental and statewide efforts that Caltrans is implementing to reduce GHG emissions. More detailed information about each strategy is included in the Caltrans Climate Action Program.

**Table 2  
CLIMATE CHANGE STRATEGIES**

Strategy	Program	Partnership		Method/Process	Estimated CO <sub>2</sub> Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review (IGR)	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	.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, CalEPA, CARB, CEC		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 .0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team		Energy Conservation Opportunities	0.117	.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 .36	3.6
Goods Movement	Office of Goods Movement	Cal EPA, CARB, BT&H, MPOs		Goods Movement Action Plan	Not Estimated	Not Estimated
Total					2.72	18.67

MMT = million metric tons

To the extent that it is applicable or feasible for the project and through coordination with the project development team, the following measures would also be included in the project to reduce the GHG emissions and potential climate change impacts from the project:

#### Sample Mitigation Measures

- The project would plant a variety of native and drought tolerant, low maintenance trees and shrubs in ratios sufficient to replace the air quality and cooling benefits of trees removed by construction of the project. Additional trees would be planted as space allows to further increase those benefits. Trees would be planted from large size containers to accelerate reestablishment of the GHG sink and to shade the pavement. In the short term, immature tree planting would probably not offset GHG produced as a result of project construction. However, in the long term tree planting should enhance the carbon sequestration potential of the project site and GHG emission levels would, in theory, continue to improve over time as the trees become more mature, except as counteracted by increased traffic volumes.
- Caltrans and CHP are working with regional agencies to implement intelligent transportation systems (ITS) to help manage the efficiency of the existing highway system. ITS is defined as electronics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.
- Caltrans is including the provision of sufficient space for a potential future transit center within the overall POE footprint for possible future development of a transit center (by others) that would accommodate buses, taxis, shuttle service, bicycles and pedestrians, thereby reducing local and cross-border personal vehicle trips.
- The project would incorporate the use of energy efficient appurtenances, such as light emitting diode (LED) traffic signals and inductive sign lighting (ISL) fixtures. LED signal heads consume 10 percent of the electricity of traditional incandescent lights, and ISL sign lighting fixtures consume less than half the power of traditional mercury vapor fixtures.
- The POE is expected to be a LEED Certified facility, which is designed to be environmentally sustainable, while reducing the negative environmental impacts of buildings and improving occupant health and well-being.
- Per Caltrans Standard Specifications, the contractor must comply with all local Air Pollution Control District rules, ordinances, and regulations in regards to air quality restrictions.

The following "green" practices and materials would be used, where possible, in the project as part of highway planting and erosion control work:

- PVC irrigation pipe with recycled content
- Non-chlorinated High Density Polyethylene (HDPE) irrigation crossover conduit

- Compost and soil amendments derived from sewage sludge and green waste materials
- Fiber produced from recycled pulp such as newspaper, chipboard, and cardboard
- Wood mulch made from green waste and/or clean manufactured wood or natural wood
- Native and drought-tolerant plant species
- Irrigation controllers, including water conservation features and solar or battery power
- Restricted pesticide use and reduction goals

In addition, the State of California maintains several websites which provide public information on measures to improve renewable energy use, energy efficiency, water conservation and efficiency, land use and landscape maintenance, solid waste measures, and transportation alternatives.

#### *Adaptation Strategies*

Caltrans is currently working to assess which transportation facilities are at greatest risk from climate change effects. Without statewide planning scenarios for relative sea level rise and other climate change impacts, Caltrans has not been able to determine what change, if any, may be made to its design standards for 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 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 provide a response to the National Academy of Science report on Sea Level Rise Assessment, which is due to be released in 2012.